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A COMMON-PLACE BOOK OF JOHN MILTON.

REPRODUCED BY THE AUTOTYPE PROCESS FROM THE ORIGINAL MANUSCRIPT IN THE POSSESSION OF

SIR FREDERICK U. GRAHAM, BART.

OF NETHERBY HALL, CO. CUMBERLAND.

WITH AN INTRODUCTION BY A. J. HORWOOD, ESQ.

BARRISTER-AT-LAW.

**2540.22

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INTRODUCTION.

THE present volume contains a reproduction by the Autotype Process of all but the blank leaves of Milton's "Common Place Book," discovered by me in the year 1874 among the manuscripts of Sir Frederick Graham, which I was then examining on behalf of the Historical Manuscripts Commission. Some of the leaves of the original are absent, but a reference to the table of contents at the end will satisfy the reader that none of the leaves containing entries have been removed or lost.

The manuscript is of importance because the entries made by Milton are, in many instances, of his own conclusions deduced from passages in the volumes the subjects of his studies.

The special points of interest are these:—there are (1) original expressions of some of Milton's opinions; (2) passages from which his opinions may be inferred; (3) some indications of the order in which he read various books; (4) specimens of his handwriting at different times; (5) writing by persons who are known (from other sources) to have been in some way connected with Milton; (6) writing by other persons employed for the purpose, but whose handwritings are not yet identified; (7) the handwriting of Viscount Preston, a cotemporary with Milton, and elder brother of an ancestor of the present possessor of the manuscript; (8) additional means for deciding on the authenticity of what may be supposed to be writings by Milton's hand.

The Camden Society have already printed all the contents of the manuscript, and in their volume have given Autotype copies of three pages of the original. But, on the nature of the manuscript being brought to the notice of the Council of the Royal Society of Literature, they agreed that its value for literary and biographical purposes could only be thoroughly appreciated by means of a facsimile of the whole; and Sir Frederick Graham most kindly acceded to their request that the entire text should be copied by the Autotype Process. The result is a

facsimile (with the various tints of the inks used by Milton and his scribes) which for critical purposes of all kinds is equal to the original.

Milton's opinions on stage plays, tyrannicide, and other matters here expressed need not be particularly referred to; the table of contents at the end will easily enable a reader to see if on the object of his quest Milton gives any opinion or remark; and the word at the head of each page shows at once the subject of the text below.

The notes from Sigonius on pp. 182, 183, 220, and 240, may be considered to show Milton's handwriting in 1637, because in September of that year he wrote to his friend Carlo Deodati that he had recently been studying the history of the Italians in what (see Introduction to the Camden Society's Volume) must have been the single volume of Sigonius on which these notes are founded.

The third sentence in p. 5, and the last sentence in p. 188, are by writers of portions of the copy of Milton's treatise "De Doctrinâ Christianâ," now in the Public Record Office. The third entry in p. 71 is by the hand that copied the Sonnet, No. 17, in the Cambridge MS. The second sentence in p. 197, and the last sentence in p. 249, are by the writer of the copy of the first book of "Paradise Lost," in the possession of Mr. Baker of Bayfordbury. Two in p. 197 are, I think, by Daniel Skinner, who also copied part of the treatise "De Doctrinâ Christianâ." Nearly all in pp. 248 and 249, and many other entries, are by Viscount Preston: this is clear from a comparison with much of Lord Preston's writing in Sir Frederick Graham's possession. As after Milton's death Daniel Skinner carried off many of Milton's papers, and as he asked to be and was probably in Lord Preston's service when that nobleman was Envoy Extraordinary at Paris in 1682 and following years, it is possible that Lord Preston obtained the MS. from him.

The volume affords additional evidence of Milton's persistent mode of spelling certain words. In the Introduction to the Camden Society's Volume I have noticed that his invariable mode of spelling the possessive pronoun *their* was *thire* or *thir*; and in his works printed during his lifetime he made the printer adopt this form. The use of the form *their* in the poem discovered by Professor Morley in 1868 is one reason for certifying it not to have been written by Milton's hand.

The division of the volume into the three sections—Index Ethicus, Index Œconomicus, and Index Politicus—if not suggested by Aristotle, may perhaps be referred to Milton's acquaintance with the work "De Regimine Principum," composed by Ægidius Romanus, who divided his work in the same manner, saying, "Primo ergo libro deserviet ethica sive monastica; secundo yconomica; tertio politica. Est ergo hic ordo rationalis et naturalis." (Lib. i. part 1, cap. 2, Ed. 1502.)

INTRODUCTION.

A marginal note in p. 197 refers to an Index Theologicus; it is to be hoped that this may yet exist and be discovered.

In the middle of the manuscript volume was found a letter by Henry Lawes (the musician) to his friend John Milton, with reference to the license which Milton needed for enabling him to leave England in 1638; and in the same box with the "Common Place Book" was a loose leaf, much damaged, containing a prose Essay and a Poem, both in Latin, in favour of early rising; these are printed at length in the Camden Society's Volume. I have deposited Autotype copies of the letter, and also of the Essay and Poem, in the British Museum and in the Public Record Office.

ALFRED J. HORWOOD.

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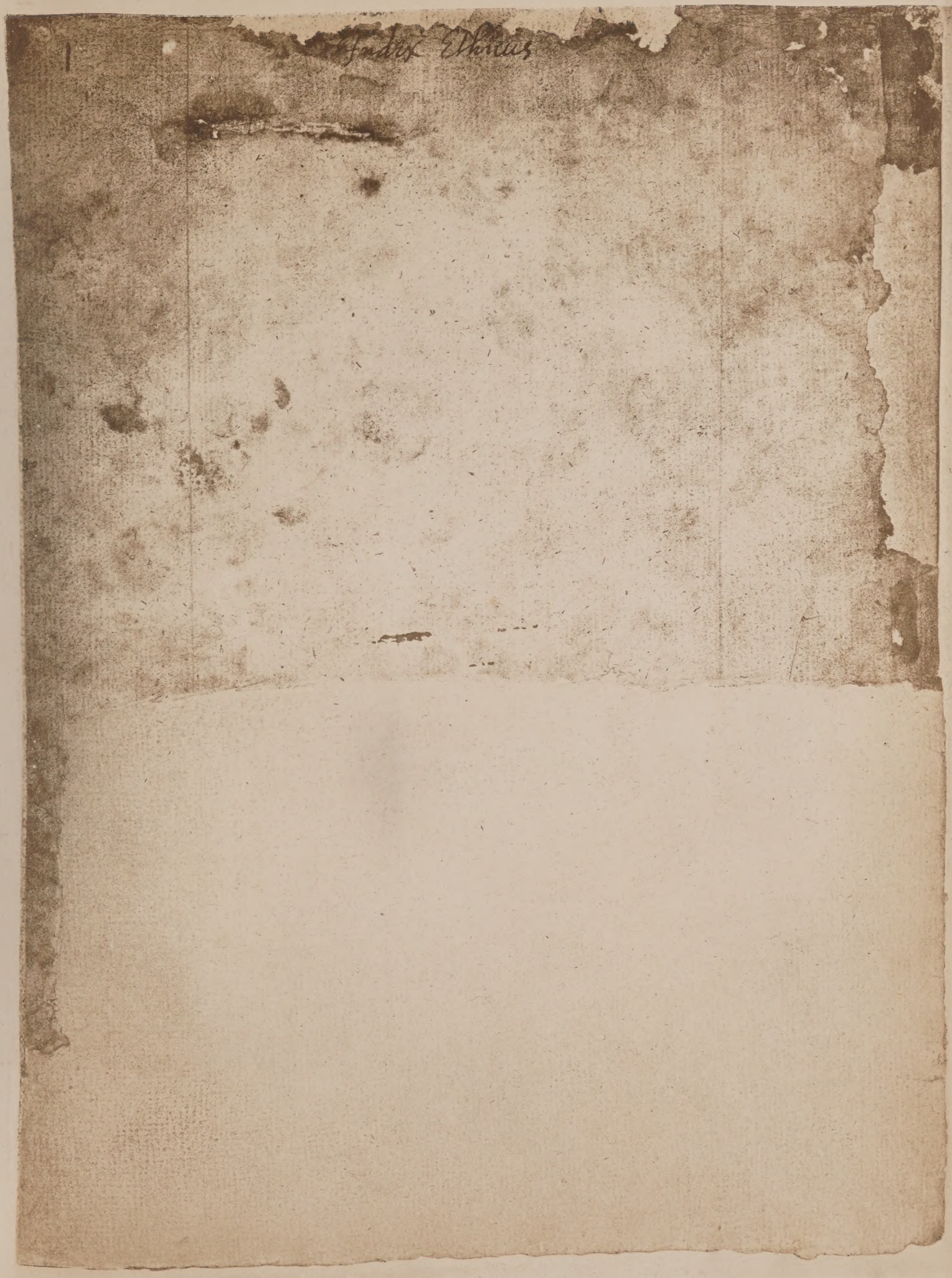

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Motu morale

in malo morali potest multū esse admistū boni idq; arte singulari, nema venenum temperat felle, et helleboro, sed condītis condītis dulcentis et bene saporatis ita diabolus letale quod conficit, rebus dei gratissimis imbuit
Tertull: de spectaculis p. 102 edit. Rigalt:

Cur permittit deus malum? ut ratio virtuti constare possit. virtus enim malo arguit illustratr, exercetr. quemadmodū disserit Lactantius l. 5. c. 7. ut haberet ratio et prudentia in quo se exerceret, eligendo bona, fugiendo mala. lactan. de ira dei. c. 13. quamvis et hoc non satisfaciunt.

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De viro bono

5 Cur bovini boni, et alioquin egregii mortis ut plurimum et pusilli animi speciem præ se ferunt, primoq; intuitu nullius esse pretii videntur, respondet Lactantius ut haberent, unde summam virtutem patientiam possent quotidiè exercere. L. 6. C. 18.

Vir bonus aliquâ ratione cæteris angelos excellere videtur, eò quod ille infirmo et mortali corpore involutus cupiditatibus semp colluctans vitam tamen cœlestium similem agere aspirat. Homil in Ezech. 12. prope finem.

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Summa viro bono habita reverentia a populo etiam furente. Perche si legga che Catone virtù e fierezza in ogni estremo pericolo ancora trà furori e nimici, in quel rispetto Siciliano sanguinoso, di tanta multitudine neccisa, per universal Consenso di tutti Siciliani fù salutato un Catoglicino di nation provenzal assai nobile. Chiamato guglielmo Porcelletto per la gran virtù e bontà sua nota à tutti i populi di quella Isola. Angelo di Costanzo Hist: di napoli lib. xv

De Virtute

Quicquid Speciosum est non statim virtus est dicenda, Sic Philippus Mariæ reginæ maritus Elizabetham tollere non sustinuit, non tam quod Sanctus quod clemens ut vulgo creditur, quòd mitis ingenii, sed quod prætideret tunc fore ut Maria Scotica Gallo desponsata si forte in regnum succederet, imperium Britannicum Gallico adjunctura esset. Camden. Elizab. fol. 13.

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12 Avaritia vide de bonis Ecclesiasticis

Clericoꝝ avaritia apte notat Dantes inferno. Cant: 7.

Mango nepote del ingadore de' Tartari q̃ammaestramento del re d'Ermina si battezzò et mandò Aloon suo fratello con grandissimo esercito a conquistare la terra santa: fortisse il caliph di Baldac, e fu preso et in pregione misso in una torre ove egli haveva raunata molto tesoro, et q̃ avaritia non havea voluto soldare cavalleri a sua difensione, lo affamò dicendo che convenia vivesse del suo tesoro, e di quello mangiasse senza altra bivanda habere. Giancillani L 6. C. 61.

Martino quarto. vide de bonis Eccles.

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Gula

Tertullianus eleganter vocat homicidam quidam, et supplicijs medicæ puniendam ait, etiamsi deus nulla jejunia præcepisset, quia in eam primus parens lapsus est. de jejunijs. p. 703. edit: Rigalt:

the E. o' shimen said to have learnt thire gourmandizing of Hardiknute the Danish K. Holinsh. in his life. noteth also of immoderat feasting by Jovius. hist. l. 11. 180

the Indians in Summatra great ghuttons renew thire stomack by chewing an hearb called Arecca betula. purchas tom. 1. 132.

De Libidine

παιδεραστία seu ἀρρενοφθορία

Quid potest esse sanctum iis qui ætatem imbecillam, et præsidio indigentem Libidini sud depopulandam fædandamq; prostituerint. Lactant. l. 6. c. 23. in fabulis nostris notat. Sodomitici peccati rex Mempricius

Stuprum. gentem e stupris, illicitoq; conjugio natam ignobam et pernitiosam patriæ futuram ait Bonifacius in illâ egregiâ ad Ethelbaldum Merciorum regem epist. Malmesbur. l. 1.

Duarū virginū Belgicarū egregiè stuprū illatū ulciscentium exempla vide apud Thuan. hist. l. 66. p. 267. 268.

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15

Castitas

Ebba monacha nasum sibi et labia trunCabit, idemq; ceteris sororibus suasit ut hoc modo elusi Dani nihil in earum pudicitiam tentarent Sto. ex flor. Hist. p. 78.

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16 Mors spontanea.

pœnã eorũ apud inferos scitissimè describit Dantes inferno. cant: 13.

whether Lawfull, disputed with exquisite reasoning. Sr Philip Sid. Arcad. l. 4. 419 &c.

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Ebrietas

King Edgars law against drunkennesse Stow. p. 85. wch Englishmen are said to have learnd of the Danes in his days. Holinshed. l. 6. c. 23.

of Healths 5t Phil. Sidny. That barbarous opinion beeing generally among them to think with vice to doe honour, & with activity in beastlines to shew aburdance of love made most of them seek to shew ye depth of thir affection, in ye depth of thir draught. Arcad. l. 2. p. 201.

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ebriandi consuetudo, etiam siccam ebrietatem animo induxit. Quod de Alberto Brandeburgico notat Thuanus his verbis, plane de eo probatum est ebrietatē violatā semel & exaspatā mentis sanitate, necessario crudelitatem habere comitem: nam cum frequenti ebrietate exire de potestate sua longo usu consuesset, fiebat ut insania consuetudine duratā, immanitas etiam sine vino in illo valeret. Hist. l. 12. 358.

De fortitudine

fortitudo hominis non in corpore sed in ratione, quæ firmissimum hominis præsidium et munimentum est, per consistit. quod hinc liquet hominem hoc solo rationis adminículo etiam in robustissima quæque animalia dominari, et nocere posse, si libet. Lactant. de opif. dei. c. 3.

Solidioremm magdeburgæ vide apud Sleidan. l. 20. et. fidei et fortitudinis christianæ exemplu Reperies.

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the cause of valour a good conscience. for an evil conscience, as an English author noteth well, will otherwise know at the roots of valour like a worm and undermine all resolutions. ward. militar. Sect. 7.

De Duellis

not certain in deciding the truth. as appears by the combat fought between 2 Scots before the L. Grey of Wilton in the market place of Haddington, wherein Hamilton that was almost if not clearly known to be innocent was vanquisht and slain, and Newton the offender remained victor and was rewarded by the Ld. Grey. Holinsh. p. 993.

Egregium et fortissimū Cai Marii responsū ad Teutonem provocantem lege Frontin. l. 4. c. 7.

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Duellorum antiquitas profanae fidei causa primum occurrit bonifacius sub valentiniano tertio initijs ducta. qui arbitrium praeliorum inijt comprobatum singulari certamine fidei sue probande gratia. provocavit. Commissoque placito praemissa paliosymmachi. Sigon. de imp. occid. l. 12 p. 203. an. dom. 432.

20

De Mortz.

Mor[t] [illegible] à atrumnarū. Theophrast.
Quicte nisi Cæsar. et Nestor soli immortalitè animæ agnouit. Bodin. 1.5.12

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In licceat profanis Scriptoribus operam dare affirmat Socrat. l. 3. c. 16. cum aliis rationibus solidis usus, tum Pauli apostoli exemplo, et antiquissimorũ Ecclesiæ doctorum. vide et Euseb. l. 7. c. 7. de Dionysio Alexandrino. Senſit etiam impius Julianus quibus armis labefactari suorũ causa posset cũ Christianis interdixit poeticę rhetoricę, et philosophiæ lectionem τοῖς ὀρθίοις ἐφ inquit, περὶ οὗ κατὰ τὴν παροιμίαν βαθμοῦσθα. Theodorit. hist. l. 3. c. 7.

The noble K. Alfred a great lover of learning. Malmesbur. 80. p. 80. his excellent structure for training up all the english till 15 years old in learning see speed. in his life.

Two Englishmen Alcuin & John by appointment of Charles ye great founded the two chiefest and ancientest universities of Europe, Paris & Pavia. Girard Hist. France. l. 4. p. 218. 219.

that princes ought to be learned especially in histories Comines well shew. memoires, l. 2. c. 6.

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Linguarũ peritiam etiam in Ecclesiâ utilem esse senserunt Waldenses, ut fideles aut pulsi patriâ, aut a suis ecclesiis missi, eò aptiores ad docendum essent. Gilles hist. Vaud. c. 2. p. 16.

Ordines Hollandiæ in medio etiam bellorum æstu, tanquam pacatis rebus re literarũ cultũ, et liberorũ institutionem rebus adhuc vel maxime dubiis negligere viderent, Academiam Lugduni Batavorũ instituerunt amplis ex sacro patrimonio vectigalibus attributis. Thuan. hist. l. 60. p. 81.

Quæstiones profundas de Deo quas humana ratio difficilius interpretet aut, assequat, aut non cogitandas, aut silentio premendas ne in vulgus edant, deturpq; hinc materies Schismatū in Ecclesiâ, sapientissime monet Constantinus in epist: ad Alexandrū, et Arium. Euseb: in ejus vitâ l.2.c.77. et apud Socrat: l.1.

Sophistas noctuis assimilat Basil. qui in rebus minutis et obscuris oculati sunt aut ita credi volunt in rebus solidis, et conspicuæ veritatis scientiæq; salutaris cæcutiunt, "illa enim nocte acutum cernit, interdiu cali-" gat. Hexam. Homil. 8. 107.

5

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Theologorū Parisiensiū stolidas velitationes depingit Sleidanus l.3 p.36.

57

De Poetica

de poeta Anglo ~~mira~~ subito divinitus facto mira, et ~~epta~~ placida historiola narrat^r apud Bedam. Hist. l. 4. c. 24.

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Rex nobilissimus, Alfredus saxonica poeseos pitissimus Sto. p. 80.

Poeticen ad virtutis studiū accendum in animis hominū a deo edoctam Basilcius monet. ἐπειδὴ καὶ εἶδε τὸ πνεῦμα τὸ ἅγιον, ἀνοσαγωγὸν πρὸς ἀρετὴν τὸ γένος τῶν ἀνθρώπων, καὶ διὰ τοῦτο ἡδονὴν ἐπιξέπασε τοῖς ὠφελίμοις καταμελχύντας τί ποιεῖ; τὸ ἐκ τῆς μελῳδίας τερπνὸν τοῖς δόγμασιν ἐγκατέμιξεν, ἵνα τῷ ῥᾳθυμοτέρῳ καὶ λεπτῇ τῆς ἀκοῆς τὸ ἐκ τῶν λόγων ὠφέλιμον λανθάνοντος ὑποδεξώμεθα. Ⓥ. Homil. in psal. 1. proem.

Numidian poets Leo Afer in Purchas. tom. 2. 759. et Leo Afer edit Lugdun. l. 2. 212. Ⓥ. & purchas ex Leone. l. 2. tom. 2. 795.

Epitaphia.

58 The Inquisitors of Venice worthily condemned the Books of Peter Aretine, called the Scourge of Princes, for the filthyness of them, & it is reported they also commanded his Epitaph to be made out will wayted in ye Church of St Luke in these words;

Qui giace L'Aretin Poeta Tusco,
che disse mal d'ogniun, fuora che di Dio,
Sevendosi, dicendo, io no'l conosco:
Here lyes Aretine a poet of Tuscany,
who spake ill of all but of God,
Excusing himself saying I know him not.

notwithstanding his vitious life & wanting wee found one pas-
-sage for Ariosto speakes of him thus,

Ecco il flagello d'i Principi
Il Divin Pietro Aretino.

Fynes Morison's Itinerary. edit: Amst: Lond: part 1. l. 2.
cap: 1. pag: 82.

Upon the Sepulchre of John Boccalio one of the princes of the Italian tongue at Castle Certaldo in Italy where his effigies was set, his statua without a beard carved in Marble lying flat upon his Tombe.

Hac sub mole jacent cineres ac ossa Johannis,
Musarum studiis Doctiloquique sacri
Mortali hic tegitur genitor Boccalius illi:
Patria Certaldo, Studia fuit alma Florentia.
De Morgon pag: 164.

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Rhetorica.

Ἡ ῥητορικὴ ἐστὶν ἀντίστροφος τῇ διαλεκτικῇ &c. Ar: Rhet: Ad: L: 1° (: 1° —
οὐκ ἔστι τινὶ γένει ἀφορισμένη ἡ ῥητορικὴ, ἀλλὰ καθάπερ
ἡ διαλεκτική. καὶ ὅτι χρήσιμος· καὶ ὅτι οὐ τὸ πεῖσαι ἔστιν
ἔργον, ἀλλὰ τὸ ἐνδέχεσθαι τὰ πιθανά. — Cap: 5od. —

Rhetorica est facultas in quag unicuiq; q̃d contingit esse idonea
ad faciendu fidem. Cap. 2° 3.

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61

An Ecclesiâ alternis canere primus instituisse dicitur Ignatius Antiochenorum episcopus post Petrum tertius. Socrat: l. 6. c. 8.

Organa primùm in Galliâ, Les ambassadeurs de Constantin empereur Grec apporterent a roy Pepin des Orgues, qu'on n'avoit pas encore veuës en France. Girard. Hist. France. l. 3. p. 138.

Guido Aretinus rationem cantandi hodiernâ adinvenit, p Gamma ut re mi &c. circa annum 1000. Girard. Hist. France. l. 6. p. 337.

quatenus credendum et obsequendū sit prudentū consiliis sapienter docet Comineus, rationesq; reddit gravissimas; errare etiam sapientissime prudentes, vel affectibus ducti, vel ut æmulis partes tueantur contrarias, vel aliquando, ut fit si forte corporis vel animi habita sint minus sano. Comin. l. 2. p. 94. edit Gall. Paris.

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Ignatia

Ignauorũ pœna, apud inferos, qui nihil in hac vitâ bene, vel quod insigniter sit malũ egerint describit. Dantes Florentinus perpetuâ scilicet inquietudine et quodam oestro incessũ agitantes. Dante Inferno. cant: 3.

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De mendacio

71

34

semp veritatẽ dicere solet vir bonus, inquit Clemens, πλὴν εἰ μήποτε ἐν θεραπείας μέ-
Quatenus licet ρει καθάπερ ἰατρὸς τοῖς νοσοῦντας ἐπὶ σωτηρίᾳ τῶν καμνόντων
ψεύσεται ὁ ψεῦδος ἐρεῖ. 35. Strom: l. 7. p. 730.

Salutis publicæ causâ. hinc illud Torquati ubi Sophroniæ introduxit surrepti Idoli noxa in se transferentis quamvis id verũ non esset, ut tamen populũ christianũ ab internecione liberaret, Magnanima menzogna, or quando è il vero si bello che si possa ate preporre? il Goffredo Cant. 7. Stanz. 22.
Similiter Bernia Etruscus, Porta nobilis in Orlando inamorato l. 2. canto. 20. stanz. 2. La verità sbalza ne per vergogna
Si debbe mai tacer, ne per vergogna.
Quando la forza e l'importunità prema
Tal volta avien chi dirla non bisogna,
Per fittion non cresce il ver ne scema,
Ne sempre occulto è dachiamar menzogna,
Anzi valente molte volte viene,
Et savio detto quel che occulto il tiene.
D'ambe due queste parti di prudentia
Il figliuol di Laerte esempio danne &c.

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Facsimile of Milton's Commonplace Book in which he criticises a passage from Tasso.

De furto, et Latrocinio

72

furta et Latrocinia ita compescuit Edwinus Northumbriæ rex ut tuto cuilibet liceret ubivis per universum ejus regnum iter facere. Malmesbur. et Sto.

Alfred also is said to have hung chains of gold and bracelets in the crosse high ways to see what theefe durst touch em, so severely was justice administered against them. Sto. out of Asserius.

Edgar also famous for this kind of Justice. Stow.

and before them all Dunwallo molmutius as Holinshed.

Athelstanes law to attach such as stole above the value of 12d. at above the age of 12 years Speed.

William the Conquerour provided well against theeving Stow. in his 20 year. Holinsh. p. 15.

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De fide servandâ

73 Aulafe's souldier præserbeth by rare example his faith both to his former captaine and Athelstan. see his life.

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De Justitiâ

Edgar a great overseer of Justice amongst his judges.
and Edward the 1. who punisht almost the whole magistracie at once for thire unjustick. Holinsh. 284. 285. and p. 312.

against bribing Ed. 3. provided. Holinsh. 369. Sr Hen. de Bath a famous briber and corruptor of Justice to maintain his wives pride beeing of high descent. Speed. p. 541.

a just Woman. but farre more renounced was ye Lady of Sr Stephen Scroope who by threatning to forsake her husband unlesse he would discharge his lieutenantship of Ireland justly, reclaimed him, & made him a worthy man. Campian hist. Irelande p. 93.

K. Hen. 5 spared not a great favorite Bertrand de Charmont a gascoin who by convey'ing away one of ye murderers of the duke of Burgon had forfeited his own life. Speed. p. 656. although overswayd by a folish decree of heraldry in acquitting Barbazon for the same fact. 657.

Justitia Commutativa. remarkable is the saying of a worthy Knight Sr Thomas Rocksby. who beeing ordinarily serv'd in wodden cups was wont to say. I had rather drink out of wood & pay gold & silver then drink out of gold & make wodden payment. Campian. hist. Ireland. p. 91.

75

De Adulatione

Read K. Xanuts act by the sea side and answer to flatterers in his life.

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De reprehensione

Nec acerbitate, nec scommatis abstinuit Luthers interdū etiā parū verecundis
Sleidan. l. 16. p. 261.

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De Maledicentia.

Belli sunt imprimis versiculi isti quibus Porta Italus Boiardus in Orlando Inamorato lib. 2di cantum 21mum incipit, ~~de maledicen~~ monetq prudenter ~~de maledicendo~~ ne quis teneare ~~ad~~ cuiquam maledicat.

Chi ha troppo al parlar la lingua sciolta,
Com'ho gia detto, ~~molto~~ spesso se ne pente
Che colui di chi parla, sta tal volta
Dietro ad un uscio, & ogni cosa sente,
E quando non v'è altri, Iddio l'ascolta,
Iddio che vuol la parte d'ogni gente
E serba la vendetta dell'offeso
Quando v'è mal pensato, e men atteso
Sempre si vuol favellar con rispetto
D'ogniuno, e degli absenti sopra tutto
Ne voler per non perdere un bel detto
Guadagnar qualche scherzo, et fatto brutto,
Che molte volte l'huom si truova stretto,
Ingi riman com'un pesce all'asciutto,
Quando egli è sopragiunto al improviso,
E si dipigne in mille fogge il viso

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De voluntate.

78

Tolle voluntatem et nihil erit boni actus in definitione Bracton, de Legg: et Consuetud: Angl: L. 1. Cap: 4°.—

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38.

Sindrisij.

Sindrisij a natural power of the Soule, set in the highest part that of moving & stirring it to good, & abhorring evil. And hereof sindrisij never sins nor errs. And yt sindrisij the Lord put in man to the intent that the order of things should be observed.

— Dr & Student: cap: 13: p: 24. Dialogue 1st. —

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80 Reason ye power of ye Soul that discerneth betwixt good & Evil, & betwixt good & better, comparing the one with the other. Shewth also ye Vertues, Affections, Love & good. Dr & Student. Cap: 19: Dial: 1, pag: 29.

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81

Conjuratio.

Vid: Dr Cudworth, Cap. 15. pag. 25. Dial. 1ª.

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82 Equity ought wisely to consider all the particular circumstances of the case, therewth also to dispense with the severe rule of Law. — Dr & Student, Cap: 16, pag: 27. Dial: 1st

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Index Oeconomicus

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De victu

De esu sanguinis

Quod interdixerunt apostoli ecclesiis esu sanguinis, ut notū est ex actis apostol: id esse a christianis usq; ad turbida et seri tempora observatū tradit Euseb: in illa Biblidis questione de martyribus gallicis hist: l. 5. c. 1. grae:

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mulieres nr se nudanto ultra quam necesse est. vide Clemens Alex: Pædagog. lib. c. 2. p. 158.
et Cyprian. lib. de disciplinâ, et habitu virginum.

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Apostoli matrimonium contraxisse probant Euseb: hist: eccl: l·3·c·30. græc: apud eundem uxoris et liberos episcoporum nominatos passim videre est. ut l·6·c·42. de Chæremone et ejus uxore. et filium Demetriani Antiochensis episcopi Domnum sedem patris adeptum. Euseb: l·7·c·30·græc: vide et Socratem l·1·c·11. de Paphnutio qui corrigit quosdam onera nimis gravia imponentes Ecclesiæ. Sed Socrates ubi mentionem facit matrimonii clericorum aut intelligi debere de iis qui uxorem duxerant, antequam munus Ecclesiasticu susceperint, seu ita ipse scripserit, seu quis postea quod facile fieri potuit, ista de suo interposuerit. vide et eundem l·5. c·22·græc: p·698: et Cedren: p·236

Petrum et Paulum matrimonium contraxisse diserte verbis affirmat Ignatius et quid de matrimonio sentiat declarat hist: ad Philadelph: p·94. 95. et Clemens Alexand: Strom: 3. pag. 448. et Felix qui presbyterium subministrabat sub Decimo, et Victoria conjuge ejus propter fidem catorte flagitat facta apud Cyprian: epist: 19.

Holinsh: p·42 and the Preists of England before the conquest. there great impugner John Crene sis beeing detected himselfe of whordom. Stow. Hen·1·y·26. forbidden to marry by Anselme, much condemnid therfor by an old writer Hen. Huntington. Holinsh. p·30 Hen·1·se also the absurd articles of the other synod. p·34. See also Mat. Paris against forbidding mariage to the clergie. Speed. p·432. ad 448. vide Concil. Trident. l·8 ad finem ubi theologi Germani assistentes Ferdinando imperatori et duci Bavar. literis matrimonium clericorum defendunt.

Polygamiam veteru Judæorum propter varia mysteria sub ea latentia haud inconsultam fuisse ait Justin: Martyr: Tryph: p·364. et 371. y 26.

Gregorius nyssenus uxorem habere testatur tom·3. de virginitate. 116.

Cur Papistæ matrimonia clero prohibeat vide rationes astutas Concil. Trident. l·5. p·446. & 662 l·7.

Spiridion Episcopus Cyprius quamvis vir sanctitatis famâ celebratissimus sub Constantino quamvis conjugem, et liberos haberet dicitur tamen ἐπραγὰ τῶν τὰ βέλτια χειρῶν. Sozom. l·1·c·11.

Mariage allowd to preists in y^e^ counsel of Vienne in france more then 900 yeares after Christ, the popes legates beeing then present. Girard. hist. France. l·5. p·300.

vide responsum Elizabethæ ad ducem Andino nuptias propter religionis differentiam aggredientis cum. p·197.

with one of a different religion dangerous. for hence Gregory the 15th is so bold as to count Prince Charles a favourer of the Catholick cause, as he terms it, and of the Roman prælacie, because he sought in mariage a daughter of Spain. Du Chesne Hist. d'Angleterre. p·1163. See also p. 1166. & 1167. et 1168.

the marriage with France also was no lesse dangerous if the conditions obtained by the Marquesse D'Effiat and Richelieu be true. as among the rest that the children should be bred in the papists religion till 13 years old. Du Chesne. Hist. Angle. p·1180. & et p·1182. 1184.

Digamiam Lege sanxit Valentinianus. Socrat: l·4. c·30. græc:

Germani antiqui non una tantu uxore usi. Aniolisti enim duæ fuerunt uxores Cæsar. comment. l·1. ad finem præfat. de bell. gallic. et Childericus Francorum rex. Bernard Girard. hist. Franc. l·5 p·27.

Conjugal affection rare in the wife of Ed·1. in Palestine.

Quartam uxorem licet mortuis prioribus ducere apud Græcos non licet hinc Leonem philosophum imperatorem communione pepulit Nicolaus patriarch. Hes Græcorum, p·103.

the discommodities of mariage. See Chaucer marchants tale, and wife of Bath's prologue.

Mariage with Papist dangerous to England appeares by y^e^ oration of Fontidonius in the name Dilma the Spanish embassador to y^e^ Counsel of Trent. wherin he professes ~~that his~~ che il suo rè si marità Maria d'Inghilterra non ad altro fine che per ridur quell'Isola alla religione. Concil. Trident. l·8. 591.

Ministris Ecclesiæ nullum jus fuisse apud Christianos antiquissimos ut interessent vel contractibus vel nuptiis celebrandis ostendit Seldenus Uxor Hebraica l·2·c·28, 29. vide titul. de bonis Ecclesiasticis l·2·c·28, 29. nempe in illas res Papæ, et Pontificii se importune satis immiscuere emolumentum inde sibi ac dominatui captantes partim ritus ethnicos ut in cæteris fere, suscipientes, et vano quodam gaudio æmulantes.

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the cause of houshold disquiet. as it turn'd both wife & children against our Hen. 2. Holinsh. p. 87.

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Concubinâ unam admitti in Ecclesiâ antiquâ christianâ multis patrũ testimoniis testatur Seldenus de re jure nat et gent l. 5. c. 7. p. 573.

Multos etiam clericos viros minime malos martyrium etiam passos, terminas in domibus habuisse fatetur Cyprianus ad scriptus Liberale singulariter Clericorum sect. 38.

4 concubinas habuit Carolus magnus. Girard hist. franc. l. 4. p. 229.

Concubinam uxori inducere, negotio cum pastoribus communicato haud se indignum existimabit Philippus ille Hassiæ princeps protestantium dux Thuan. hist. l. 41. p. 447.

Nothi dicti. Carolus martellus princeps bellicossimus atq; optimus concubinæ filius, quo natus Pepinus Caroli magni pater. Hist franc.

Ferdinandus Alphonsi Neapolitani regis optimi ex concubinâ filius regno successit

in france Les bastards estoint advouez, & partagez avec egalement avec les legitimes, jusques au temps d'Hues capet en France. Girard hist. France l. 6. p. 333.

in Italy ——— Ils ne font point grande difference au pays d'Italie d'un enfant bastard à un legitime. Philip. de Comines l. 7. memoires. c. 2. p. 515.

De liberis educandis vide de scientiâ literatâ.

natura cujusq; imprimis inspicienda nec torquenda aliorsum deum enim non omnes ad singula destinat, sed ad suum quemq; opus proprium unde Dantes esel mondo la giù ponesse mente al fondamento che natura pone. vide Paradiso cant. 8.
hinc credibile est quod de Athanasio traditr puerū scil. inter pueros episcopum egisse puerosq; in maris littore baptizasse. Socrat. Hist. Eccles. l. 1. c. 11.

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not to labour, as most mendoe to make them bold and pert while they are young which ripens them too soon, and true boldnes and spirit is not bred but of vertuous causes which are wrought in them by sober disipline to this purpose chaucer speaking of feasts, and rebells and daunces such things maken children for to be too soon ripe and bold as men may see, which is full perilous &c. doctor of phisike. fol. 58.

in judicia translatâ esse divortii causâ videtur ex quo Canonici lucrũ inde reportare authoritatemque gubernandi posse didicerunt Hist. Concil. Trident. 67. p.

Quæstiones innumeræ de divortiis incertâ solutione tractantur Concil. Trident. l. 8. p. 729 ℂ. et 737 ℂ.

ritus publici celebrandi matrimonii multis post apostolos seculis introducti sunt Concil. Trid. l. 8. 772.

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vide de bonis Ecclesiasticis. Causæ matrimoniales ad civilẽ magistratũ spectebant priusquã ecclesiastici p socordiam principũ eas earum judicia invasere. Concil. Trident. l. 8. 772.

Carolus magnus uxorem Theodoram repudiat non redditâ ejus rei aliquam ratione Girard. Hist Franc. l. 3. p. 146. et Hildegardam duxit.

Post quinquennalem mariti absentiam, si incertum fuerit ubi sit uxori conceditur cum alio nuptias facere. Manuelis patriarchæ constantinop: sententia. Jus Græco-Roman. p. 239. vixit autem hic patriarcha circa an. 1216.

Religionis causâ divortium fieri posse statuit Matthæus Monachus, sive orthodoxus ita vult non tantum si ab altero deseratur, in illo enim negotio, non simplex εὐδοκία infidelis ad cohabitationem requiritur, sed utriusq; συνευδοκία secundũ Pauli sententiam; ait etiam ab Theodoto patriarcha ita statutũ vide lib. matrimonial. apud Jus Græco Roman. p. 507.

Guntarius archiepiscopus Colonienſis et Tergandus Trevirensis Lotharium Lotharingiæ ducem repudiatâ Tiberga Bertradam inducentem approbaverunt. Thuan. l. 78 655

Pro divortio vide Bodin. repub. l. 1. c. 3.

Renatus Lotaringiæ dux repudiatâ ob deformitatem, et sterilitatem uxore Margaretâ adhuc viveritẽ Philippam superduxit; rec tamen ejus ex Philippâ filius hereditate dejectus. Thuan. hist. l. 24. p. 734.

* Belgiæ et protestantium defensor — Wilhelmus Arausionensis abdicatâ a se ob mores uxore Annâ Mauritii Saxonis 7 viri filiâ Carlotam Borboniam Monpenserii filiam duxit. Thuan. hist. l. 60. p. 72.

x non regi solum, sed cuivis Baro ab Herbert. de Mosch:

Joannes Basili filius Moschorum dux, uxore repudiatâ quod, quoties vult, illi moribus patriis licet, novam duxit. Thuan. hist. l. 72. p. 471.

Propter impedimentum naturale Vincentius Mantuæ princeps Alexandri Farnesii filiam repudiat aliâ superinductâ. Thuan. l. 80. p. 783.

Henricus 4tus Galliæ rex Margaritam uxorem ob mores quamvis cognationis obtentu repudiabit, multisq; exemplis id sibi quoq; licere demonstrat, quod alii ante se reges Darias ob causas fecissent Thuan. hist. l. 123. p. 885.

De Servis

Quodnam fuerit jus dominorum in servos vide Justinian. institut. l. 1. tit. 8. §. 1.

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de manumissione Justinian. institut. l. 1. tit. 5. et 6.

Servis refugium a duris dominis est datum lege civili, cum hac pulcra ratione, quòd reipub. expedit ne suâ re quis malè utatur. Justinian. institut. ~~tit~~ l. 1. tit. 8. §. 1.

De Matrimonio

To forbidd Polygamy to all hath more obstinat rigor in it then wisdom. Hence Sr Walter Raughleigh well observes that by such rigor the kingdom of Congo was unhappily diverted from the christian religion, wch it willingly at first embraced, but after with great fury rejected, because pluralitie of wives was deny'd them; I know not saith he, how necessarily, but more contentiously then seasonably. Hist. of ye world. lib. l. 2. c. 4. Sect. 16.

Sebastianus Castalio Allobrox Bernardinū Ochinum ~~cujus~~ secutus, cujus dialogos latinos fecit polygamiam adstruere videtr. Thuan. Hist. l. 35. ad finem. p. 271.

Britanni etiam post fidē. receptā conjuges habuere complures, quo nomine a Gildā reprehenduntr. quam plurimas conjuges habeates, sed scortas Gr. vid. epist. Gild. et ad finem; unius uxoris virum, quod ita apud nos Coelestinus Papa Gr. ac si apostolus dixisset virū uxorā.

De clandestinis matrimoniis pro irritis habendis vide Thuan. hist. l. 35. p. 268. 269. idem in Germaniā sancitum. hinc Ferdinandi Austrii proles ex Welserā clam patre Caesare susceptā pro non legitimā est habita. Thuan. l. 71. p. 446.

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Incestus Philippus Hispaniae rex sororis filiam duxit. Thuan. hist. l. 71. p. 442. & seq. et Ferdinandus Ferdinandi Caesaris filius. idem. hist. l. 71. p. 446.

Protestantes, Aureliani, cum ea urbs penes eos erat adulterium morte
punebant: quam rem aulici adeo graviter tulere, ut semp se ideo a
protestantibus alienos futuros professi sint. Thuan. l. 35. initio libri

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Divortium

Cur ſmitti debet ratio eſt quia ut medici, & omnes fere fatentur, cujus sine amore eſt frigidus, inguabis, infœcundus, noxius, terminus, fœdus. Sinibald: Geneanthropeiæ l. 1. tract. 2. proœm. indignum itaq; eſt vel utrumq; vel immerentem saltem tam immani vinculo inbitu constringi.

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Divitiæ

Contra divitias probè disserit Machiavellus divitias non esse belli nervos quod vulgo creditur. Discors. l. 2. cap. 10.

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Paupertas

Britannorū episcoporū paupertas celebris apud Seuerū Sulpitiū tempore Constantii imp. sacrā hist. l. 2. p. 157.

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See Chaucer. no poberty but sin. wife of Baths tale. p. 36.

151 Edessenorum mira charitas in captivis Antiochensium redimendis vide apud Procopium Persic: 2. nam et meretrices ornatum suum ad id impendisse dicebant, et rusticos jumenta sua vendidisse. p. 66. edit. gre.

Elemosynas nostras hominibus notas ne velimus esse suadet Chrysostom. in Gen: orat. 8. argumento verissimo. quod homines plerumq; ubi laudare debent, invident, non est ergo ut de humanâ laude multum speremus.

Elemosynarũ profusissimi non semp verè pii ut in Adelberto Eporrejæ marchione videre est qui cũ juveris benignissimo in pauges animo fuisse visus esset adultus famâ ob fidiam nequissima ferebatur. Cuspinian. in Berenganio. p. 223.

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Errombus mendicis non dandum ut monet Atticus episcopus Const: τοῖς ἀναμφοτέροις τὴν ἀπόνοιαν, ἀλλ' ὄχι τοῖς ἐπιορκίαν διὰ βίου τὴν χάριν προτιθεμένοις. Socrat: l. 7. c. 25.

Elemosyna post mortem data rebus gestis, et variis numerat Ariostus quæ ad circulũ Lunæ volare fingit sine ullo laudis fructu. L'elemosina è, dice, che si lassa alcun, che fatta sia dopo la morte. Cant. 34.

De usurâ

usuram peccare in naturâ, et in artem ait Dantes in naturâ quia facit ut numeri pariant numinos qui est partus non naturalis, in artê quia non laborat &c vide cant. 11. inferno. et Damiell: in suo locum.

of the popes cruell usurers or merchants call'd Caursini see Speed. p. 532

num licita sit latè dissentit Rivetus praelection in decalog. 276. p. et affirmative tuetur.

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Index Politicus

Respublica

immunitatem officiorū civilium clerias edicto sanxit Constantinus. Euseb: hist: l. 10. c. 7.

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the form of state to be fitted to the peoples disposition some live best under monarchy others otherwise. so that the conversions of commonwealths happen not always through ambition or malice. as among the Romans who after thire infancy were ripe for a more free goverment then monarchy, beeing in a manner all fit to be ks. afterward growne untruly, and impotent with over much prosperity were either for thire profit, or thire punishment fit to be curbd with a lordly and dreadfull monarchy. wch was the error of the noble Brutus and Cassius who felt themselves of spirit to free an nation but considerd not that the nation was not fit to be free, whilst forgetting thire old justice and fortitude which was made to rule, they became slaves to thire owne ambition and luxurie.

Inter religionem et rempub. divortium esse non potest. Camden. Elizab. ad lectorem.

Contrariæ sententiæ erat Hospitalius Galliæ cancellarius prudentissimus, multi. Thuan. hist. l. 29. inquit, cives esse possunt qui minime sint christiani, et qui ab ecclesiæ gremio re- p. 74. motus est non desinit esse pius civis, et pacate vivere possumus quamvis qui non eadem sacra nobiscum colunt.

Respub. regno poior. Poche delle repub. escono huomini eccellenti, che de regni. Poche in quelle il più delle volte si honora la virtù, ne regni si teme. Machiavel. arte di guerra. l. 2. p. 63.

I declare it my opinion in my discourse upon Livy, that a great achoy was read of in y^e^ Histories, & y^t^ y^e^ excellencie of those counsels & atchievements, & y^e^ improvement wch mankind, Europe & as I may so say, humane nature it selfe obtained amongst the Romans did proceed naturally from their government, & was but a plain effect & course pursuitt of y^e^ perfection of their Commonwealth. Machiavel's l^r^ before by worthy printed at London 1675 pag: 3^a^.

Amor in patriam

virtus ista caute a philosophis petenda est non enim cecus et carnalis patriæ amor ad rapinas, et cædes, et odium vicinarū gentium rapere nos debet ut patriam impio, opibus, aut gloriâ augeamus sic enim ethnici fecerunt Christianis autem inter se placem colere oportet et non appetere aliena hanc ob causam inhibet in philosophiam Lactantius l. 6. c. 6.

of S^r Pierce de la Mestre. See Holinsh. Sto. Ed. 3. p. 410. 411. 418.
the Thomas of Woodstock & of Gloster. in the reigne of Ri. 2. Holinsh
Richard Fitz Allaine E. of Arundel for his whole life noble and
Memorable. and in his death also under Rich. 2. Holinsh.

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Leges

Savanarvola essendogli mandato una scommunica da Roma non l'ubbedì dicendo in sua difesa una bella parobola la quale ci pruova che si dè più tosto ubbedire alla intententione delle leggi che alle parole. l. 1. p. 48. 49 innovation della chiesa.

Lambard saith that laws were first devis'd to bound and limit the power of governours, that they might not make lust thire judge, and might thire minister arbitrion. c. 3.

Some say they ought to have reasons added to them. il legislatore che rende ragione del suo detto, diminuisce l'autorità sua, poichè il suddito s'attacca alla ragione addotta, e quando crede haverla risolta, pensa d'haver anco levata la virtù al precetto.
Concil. Trident. l. 6. p. 460.

Alfred turn'd the old laws into english. I would be lind now to rid us of thy norman gibbrish. the laws of Molmutius. as Holinsh. p. 15. and of Queene Martia. See Holinshed. in the raigne of Sisilius the son of Guintoline. p. 19. Inas also of the west saxons k. made many laws Holinshed. l. 6. c. 1. and he it was that made that shamefull, and unworthy law of peeter pence. renew'd also by the murderer Offa the Mercian so thinking to expiate his horrid sins. Holinshed. l. 6. c. 4.
Sto. p. 80

De jure naturali, gentiu et civili quid statuant jurisperiti. vide Justinian. institut. l. 1. tit. 2.

Edward the Confessor reduct the laws to fewer, pickt them, and set them out under name of the common law Holinsh. l. 8. c. 4.

Lawyers opinions turn with the times for private ends. Speed. 614. 615. Rich. 2. but thire end is to be considerd. p. 616.

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Kings of England sworne to the laws See Rex. at thire crowning. King William the Conq sworne solemnly the second time in the church of St Albans. which he presently broke. Holinsh. p. 10. Henry the 1. comming to the crowne promiseth to abolish the unjust laws of the Normans and to restore the laws of K Edward. Holinsh. p. 28. Maud the empresse, denying the lordores request in this point lost therby the faire forwardnesse she was in, to the crowne. Holinsh. Steph. p. 53.

* granted also and confirmd by charter. Holinsh. p. 181. and 183. Speed. p. 447. Rich. 1. see Speed at his crowning.

K. John at his absolution from the Popes curse, and interdiction promis'd the same. Holinsh. p. 180. see also p. 181. wch refusing to performe cost him all the trouble that succeeded p. 183. & p. 186. Henry the 3d at the betwixt him and Lewis swore together with his protector Lew the E. of Pemb. for him that he would restore all the rights and liberties before demanded of his father. Holinsh. p. 201. urg'd about it by the B. of Carlisle. p. 204. 205. for the which deny'd Lewis the f. K. refuses to restore Normandy upon demand to Hen. 3. the same K demanded againe shiftingly answers p. 205. and begins to assaile his barons. ibid. upon a fifteen granted Hen. 3. confirms by parliament the 2 charters magna, and de Foresta. an. reg. 9. p. 207. but cancell'd by him most ignobly when he came to age. p. 208. Hubert de Burgh beeing cheife setter on. p. 209. but after beeing at full age freely of his owne consent an. reg. 21. granted & confirm'd these 2 charters. Holinsh. p. 220. also an. reg. 37. with sentence of excommunication against the breakers therof. p. 248. with singular execration which the K. used against him selfe if he broke them. ibid. yet afterwards sought to be absolv'd of it by the Pope. and breaks. p. 249. sworne to it againe with his son Prince Edward. p. 258. and also Richard E. of Cornwall after his proud denial. p. 261. and curse denounc't on the breakers. 262. causes his absolution to be read. 263. accepts againe the ordinances of Oxford. 265. renounces again. ibid. promises again beeing prisoner to the B. arons. 268. and confirm'd by parl. at Marleborow. 274.

parliam. Oxf.

Marleborow parl.

vide subditus.

thing.
a dangerous thing, and are ominous to imitate with earnestnesse the fashions of neighbour
Sto. p. 94. nations. so the English ran madding after the French in Edward Confes-
Speed. sors time. god turn the omen from these days

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ejus authoritas in rebus divinis

modestia quidem principis, & de mysteriis religionis ab eruditis et fidelibus episcopis quæ authoritatis referri valde laudabilis est. sic Valentinianus cum de quæstione episcopi ad se missent, vide quæ respondent. Hist: miscel: l. 12. p. 351. et 354. vide quatenus Constantinus se dixerit esse Episcopum. Euseb: l. 4. vit: Const: c. 24. at idem Constantinus pretentib. Donatistis ob judices de Controversiis inter se et Carthaginis episcopum orbis Carth. religiosissime respondit petitis à me in gremio Ecclesiæ judicium, cum ego ipse Christi examinem judicium sustinere debeam &c

in re divinâ tanquam unctus, et interpres Aidan præd. populo suo rex Northumbriæ Osualdus; et explicat, quæ Aidanus minus feliciter expressera propter linguæ impritiam. Beda. et ex eo Holinshed.

Concerning the dutie and office of an English K. how to governe read the dying counsell of Hen. 4. to his son. Sto.

reges vix se mortales se agnoscunt, vix humanum sapiunt nisi aut quo die creantur aut quo moriuntur illo die humanitatem, et lenitatem simulant spe popularis auræ captandæ. hoc mortem ante oculos habentes male factorum conscientiâ, quod res est fatentur, se miseros homines esse. vide mortem Gul. 1. Congressionis Anglic: apud Stowum nostrum. et abi: cahonem Ed: 2.

reprehensionis justæ patiens exercit Theodosius Senior ab Ambrosio reprehensus graviter et in ordinem redactus ob cædem Thessalonicensium. Hist: miscel: l. 13. p. 376.

Counsels unjust he shames not to reverse. thus did the worthy Ed. 1. that cruel statute which he had made quo jo arendo perceiving him selfe to incurre the hatred of his people therby. Holinsh. p. 290

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ad subditos suos scribens Constantinus Magnus non alio nomine quam fratres appellat vide epist. Constantini ad Alexandrinos. Socrat: l. 1. c. 6 vide et Euseb: de vitâ Constant: l. 3. c. 18 in fine. et l. 3. c. 58. in epist. Constantini ad populum Antiochenum initio, et fine. et alibi. Augustus imperii formator ne dominum quidem dici se volebat, et hoc enim Dei est cognomen. dicam plane imperatorem dominum, sed quando non cogor ut dominum Dei vice dicam; cæterum liber sum illi, dominus meus Deus unus est &c. Tertull: apologet: p. 31. edit: Rigalt: qui pater patriæ est quomodo dominus est &c ibid:

De hærede constituendo. optimum esse si rex filium suum cui regnum post se traditurus sit sui instituat, ut crevat nemalia patrem suum regni successionem non ætatis ejus sed meritis destinare, nec se paternum imperium tanquam prædam hæreditariam, sed ut virtutis præmium acceptum; proinde ut secreto potius apud se statuat quam publicè declaret quem sit regni hæredem relicturus, et dolus in dubio relinquat ea operâ efficiat, ut ne puer nimis ferociter se gerat, minusque adulatorum greges stipatus sit, nec vitæ patris insidias struat cum in incerto sit futurine alius a patre designatus cujus judicium assensus populi facile sequatur. hoc modo Joannis Ducas Bataza filium reliquit Theodorum ad regni spem non cersam nisi post patris mortem. ut scribit Nicephorus Gregor. l. 2. c. 1. the not observing this wrought our Hen. 2. a world of disquiet & danger. Holinsh. p. 76. hinc Elizabetha Mariam Scoticam hæredem suam declarare noluit. Camd. p. 66. 68. et amplius 106.

Vide p. 195.

the crowning of Ks in England not admitted till they hath receivd of justice to be admitted, according to the laws. Stow. & William conquerer and other Ks. K. Richard 2. also renewd his oath in Parliament time in the church at Westmin. Stow. an. reg. 11. Richard the 1. Holinsh. p. 118. at large.

& Holinsh.

Solennitas coronandi Cæsaris Caroli qui in Italiâ apud Jobium. l. 27.

Unction refusd by Henricus auceps a famous German Emperor. Cuspinian. in his life.

Crowning of French Ks. Sleidan. l. 19. 227.

Electio Germanorum imp. quando capta est Frid. Cuspinian. Otto 3. p. 254.

Conditiones Cæsari futuro recipiendæ apud Sleidan. exon. l. p. 157.

Conditiones iidem imperator Græco futuro in se recipiendæ. Codinus Curopalat. de officiis Constantinopol. c. 17. de coronatione imperatoris.

adorari se primũ Romanorũ esse passũ Diocesianũ scribit Sigonius de imp. occid: l. 1. cũ ante eũ omnes Romani imperatores consulari tantũ salutatione contenti fuissent. quod alii de Constantino asserunt.

Christiani antiqui quid sentirent de hoc Iustinus martyr ad imper: Pium scribens declarat fundatã suã Christi doctrinã sententiã ut Cæsari demus quæ Cæsaris deo quæ dei sunt, θεὸν μὲν μόνον προσκυνεῖν, ἡμῖν δὲ πρὸς τὰ ἄλλα χαίροντας ὑπηκόους εἶναι ubi plane προσκυνεῖν soli deo, regibus πρόθυμον ὑπηκόους tribuit. Apolog: 2. p. 64.

Leges suas Iustinianus alibi vocat oracula, et nostra divina constitutio. institut. l. 2. tit. 2. §. 9. et sacratissimum erarium. ibid.

authoritatẽ regiam aspernari non dedignatus est Dantes Florentinus in eo libro cui est titulo Monarchia quem librũ Cardinalis del Poggietto tanquam scriptũ hæreticũ comburi curavit ut testatur Boccatius in vita Dantis. Quibus priori nãe posteriori mentio illius rei omnis est delata ab inquisitore.

officium et definitio imperatoris egregia est. Ius Græcoromanũ. l. 2. p. 178. ex lib. de jure qui est Basil. Constant. Leony. ubi ait Τέλος τῆς βασιλείας τὸ εὐεργετεῖν, καὶ μηκέτι τῆς εὐεργεσίας ἐξαίρετόν τι οἴεσθαι χρῆναι βασιλεύειν τὸν βασιλικὸν χαρακτῆρα, vide Chiam Orland. inamorat. de Berni Cant. 7. stanz. 3 un re se vuole il suo debito fare, non è re beramente

the clergie commonly the corrupters of a kingly authority turning it to tyrannie by their wicked flatteries eben in the pulpit as [illegible] 9. Rich. 2. an. 21. Stratford bishop of Exceter in parliament time which was cause of great mischief to both k. and country

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the right of Ks. to the goods of his subjects. the answer of Reginald to Luscard the popes legat Leg. all churches are the popes. Regin. truth, to defend but not to use them to serve his owne turne, as wee say all is the princes, that is all is his to defend, but not to spoile. Holinsh. p. 253.

de monarchiâ Severus Sulpitius ait regiũ nomen semp liberis gentibus fere invisum demonstrãt factũ Hibræorũ quod præoptarent libertatem servitio mutare. Hist: sac. l. 1. p. 56.

the first original of a k. was in paternal authority. and from thence ought patterne himselfe how to be toward his subjects. Smith com. welth. en

the cause & reason of creating kings. See well expressed in Haillan, Hist France. l. 13. p. 719.

no king can give away his k.dom without consent of the whole state. Holinsh. 191. as appears also by the letters of the parliament sent to the pope with consent of Edw. V. confirming the realm of Scot. Holinsh. p. 311. 59 also it pas an word to ten 3 of France by the parliament at Bitris. Thuan. hist. 63. p. 186.

* nullo casu alienari a rege pars finemium coronæ potest, quippe cujus rex tantum sit usufructuarius ibid.

whether monarchy be a power absolute Sr Tho. Smith answereth. that neither it nor any other kind of common wealth is pure an absolute in his kind, no more then the elements are pure in nature, or the complexions and temperatures in a body but mixt with other, for that nature will not suffer it. com. wealth Eng. c. 6

and in the 9 c. that the act of a k. neither approved by the people, nor established by act of parliament is taken for nothing either to bind the k. his successors, or his subjects. instancing, in k. John who resigned his crowne to Pandulfe for pope.

Ne' Aragonesi non hanno assoluta l'autorità regia in tutte le cose. Guicciardin. l. 6. Hist. p. 347.

definition of Sr Tho. Smith. A k. is who by succession or election commeth with good will of the people to his goverment and doth administer the com. welth by the laws of the same and by equity, and doth seeke the profit of the people as his owne. and on the contrarie, he that com. by force breaks laws at his pleasure, makes others without consent of the people, and regardeth not the wealth of the commons, but the advancement of himselfe, his faction, and his kindred he defines for a tyrant.

See Arist. eth. 9. l. 10 ὁ μὲν γὰρ τύραννος τὸ αὐτῷ συμφέρον σκοπεῖ, ὁ δὲ βασιλεὺς τὸ τῶν ἀρχομένων.

c. Regni che hanno buoni ordini non danno imperio assoluto a gli loro re se non negli estremi pche in questo luogo solo è necessaria una subita deliberatione come fabritio appo Machivel. arte di guerra l. 1. p. 15.

Subditus bide reg. bide de fidelitā, et Seditione

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Papa subditos jura-mento fidei exsolvit

Papa Gregorius Italos juramento, quo Leoni Imp. fidem obligant, exolvit Sigon: reg. Ital. l. 3. p. 63.

Regnum Chilperico propter ignaviam abrogat Zacharias Papa Francis sacramenti religione solutis. Sigon: reg. Ital: l. 3. p. 74.

Ordines Belgii imperium Philippo abrogant, scripto etiam edito Hagae, eique obedientiam renuntiare provinciae jubent. Thuan. l. 74. p. 513.

England a free nation not only at home but from all claim whatsoeber from pope see Holinshead 101., et 311. from Emperour as appeares by meeting the emperour Sigismond with drawn sword. Hen. 5. Speed p. 646

Parlament by three estates churchmen Lords & commons first convocated by Charles Martell to elect him prince of the French about the year 730.

The commons of France give instructions to their knights & burgesses for when Bodin who serv'd for the country of Vermandois in the great Parlament at Blois 1576 had spoken something displeasing to the Courtiers they suborned som of that countrie against to accuse him for going against their instructions. Thuan. hist. l. 53. p. 179.

to say that the lives and goods of the subjects are in the hands of the K. and this disposition is an article against Ri. 2. in parl. a thing the said to be most tyrannous and unprincely. Holinsh. 503.

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the Liberties of English subjects vide de legibus magna charta, and charta de foresta subscrib'd to and seal'd to by K. John betwixt Staines and Windsore Holinsh. p. 185. 186. but got to be made void by the Pope p. 189. but manfully rejected by the barons. ibid.

an office to correct the K. Curtana

the Earle of Chester bare the sword of St Edward before the K. in token that he was Earle of the palace, and had autority to correct the K. if he should see him swerve from the limits of justice. Holinsh. Hen. 3d. 219. this sword is called by Speed Curtane. p. 603. Rich. 2.

the citizens of London toll free throughout all England by the charter of Hen. 3d Holinsh. p. 208. other thire liberties confirm'd by Ed. 3. Holinsh. p. 343.

the 24 gobernours chosen at the parliament abuse thire liberty. Holinsh. p. 259. the charter and liberties confirm'd & seal'd by Edward 1. Holinsh. 306. and declar'd in parliament. ibid. certain earls undertak for him to seale and confirm againe. p. 307. confirm'd again in plament but the clause salvo jure coronae offends the barons and the whole people 308. renews the confirmation of the charters. 309. ibid. and at Lincoln 312. procures to be absolvd of his oath & by the pope 313. Ed. 3 assents to good part in parliament. Holinsh. p. 361. but both Ed. 1. and Ed 3. assent and confirm absolutely saith Speed. about a dozen times by this K. 596.

of Parliament Liberties Holinsh 452.

the Ld. Chauncellour ~~elected by authority of parliament~~ the cheife justice and the Treasurer elected or deposd } by the parl. of ancient custom Lamb. Prescion out of Mat. Paris

Speed makes the beginning of Parlaments in Hen. 1. days. p. 449.

If the pope be not greater then a Council, then is no K. to be thought greater then the Parlament see de Conciliis.

Tenures of Fief or Feud thought to be brought in by Charles the great Girard. Hist. France l. 4. p. 229. although the original seem to be unjust. for that work was conquer'd land ought freely to be divided to the people according to merit & to hold only by his truth & fidelity to the common wealth. Whenk doubtles the Romane Agrarian laws are more noble. Hence that Historian confesses p. 232. that they who hold in fief, are in a manner servants.

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Lenitas

Lenitas nimia regi Sigeberto Orientalium saxonum pniosa Malmsbur. l. 1. c. 6. et Stow

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prohibition of books not the wisest cours. pruritj ingenijs gliscit autoritas. and indeed wee ever see that the forbidden writing is thought to be a certain spark of truth that flyeth up in the faces of them that seek to choke and tread it out, whereas a book autorized is thought to be but the language of the time. Sr Fran. Bacon in a discours of church affairs.

Prohibition of books when first us'd. The storie thereof is in ye Council of Trent l. 6. streit from ye beginning p. 457. &c.

Quid utilitatis ex adversariorum libris, si semotis odijs caritatem, et æquitatem induamus, ad dei gloriam capi possit, illustri documento ostendit Thuanus, dum narrat Bibliorum versionem a Bibliandro, et Pellicano inchoatam a theologis Hispanis coactæ fuisse probatam, ut illam ipsi suppressis, verorum authorum nominibus edere non dubitarent. Thuan. hist. l. 36. p. 287.

Sigerbertus Westsaxonum tyrannus leges patrias conculcans, meritas luit paenas Malmes: sur. l. 1. Sto.

Richard the 2d. in his 21 yeare holding a violent parliament shorten'd his dayes. see in Sto. the violences of that parl. see other tyrannicall acts, an. 22. and of this parl. Holinsh. 490.

his definition see. de Rege out of Sr. Tho. Smith. 7. et 8. C.

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and Basil defines distinguishes a tyrant from a K. breifly thus. Τύραννος ἐστὶ διαφέρει τῶν βασιλέων, ὅτι ὁ μὲν τὸ ἑαυτῷ πυθόμενος ὁρᾷ, ὁ δὲ τοῖς ἀρχομένοις ὠφέλιμον ἐπιτηδεύει. tom. 1. 456.

Tyrannicall practizes of Rich. 2. and his accomplices. see Holinsh. p. 456. an. reg. 11. 457. 458. 462. 487. see also the parl. Holinsh. 490. 493: blanck charters. 496. and other tyrannical actions. ibid. see also the articles against him in parliament. Holin. 502. also 508.

Aiding tyrants. the Black Prince, by aiding the cruel tyrant Peeter of Arragon Castile brought himselfe to all the mischeifs that fell on his latter dayes and his fathers. for besides the suspition of poysor in the voiage he brought himself into so deep debt, beeing defrauded of his soldiers pay by ye ingrateful tyrant, that he was forc'd to raise that sharp taxation of fuage in Aquitain wherby he lost the country. see our writers. and spe. p. 597.

Whether it be lawfull to rise against a tyrant. Sr Thomas Smith prudently answers. that the common people judge of that act according to the event, and successe. and the learned according to the purpose of the doers. 27. com. wealth of Engl. C. 5.

Ludovicus pius beeing made judge of a certain German tyrant, approves the people who had depos'd him, & sets his younger brother up in his stead. Girard. Hist. France. l. 4. p. 248.

Scoti proceres missis ad Elizabetham legatis post Mariam regno pulsam jure id factum multis exemplis contendunt. Thuan. hist. l. 58. Ann. 1569.

of the deposing of a tirant and proceeding against him. Richard the 2d. was not only depos'd by parliament, but sute made by the commons that he might have judgement decreed against him to avoid furder mischeif in the realm. Holinsh. 512.

Petrus Martyr in 3 C. Jud. ees qui potestatem sugiorem eligunt certis quibusdam legibus reipub. proficiunt, ut hodie electores imperii 27. licere, si princeps pactis, et promissis non steterit eum in ordinem cogere, ac bi adigere, ut conditiones, et pacta quae fuerat pollicitus, compleat. idque si armis cum & aliter fieri non possit. citatque authorem Polydorum nostros homines aliquando suos reges compulisse ad rationem reddendae pecuniae male administratae.

Ad un principe captivo non è altro rimedio che il ferro. Assicurar la malitia del popolo bastano le parole, ma a quella del principe bisogna il ferro. Machiavel. Discors. C. 58. l. 1.

nec imperatorem appetrahi flagitiis urgere metuunt principes Germaniae quo quidem rex qui vix Europae regi major inter sanctior potest esse ut quis facinus esse putet regem justas ob causas accusationibus appetere. vide Sleidan. l. 18. 299.

Vitam principum diurnosam, et appetito sollicitam, etiam eorum, qui rem propius non intuentibus, felices habent videntur describit Comineus testis & saepe oculatus. Comines. l. 8. C. 13. p. 684 &c.

De monarchia Gallica ad tyrannidem Turcicam redigenda consilium Blesis fuisse initum a rege Car. [illegible], regina matre, alibi tradit Thuanus. et rationes ejus rei efficiendae & facile commodas a Ponceto quoda explicatas fuse narrat. Hist. l. 57. p. 970.

Reges a subditis potestate exuti, aut minuti, nullâ reconciliationis reconciliatione re interposito quidem juramento postea placantur. exempla recentis memoriae extant. Thuan. hist. l. 71. 423.

his right to France, and the falsehood of the Salick law shewing how divers Ks of France came in by the female side. See Holinsh Hen. 5. p. 545. 546. and Speed in Hen. 5. 638.
but ratifi'd in full parlament at Paris by oaths of all the nobles. Speed. p. 657

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Rex Gallie parlamenti sui decretis parere necesse habet, ut scribit Claudius Seselius, quod ille frænum regis vocat. de repub. Gallor. l. 1. ad quæstores etiam publicos rationes expensarum regiarum referuntur, quas illi potestatem minuendi habent, si immoderatas vel nimias esse cognoverint. ibid.

the wealth of y^e^ crown without oppression of subjects may be seen in the expences which Q. Eliz. was at in maintaining warre with her monies in divers places abroad, and at the same time paying her debts at home. Camd. vol. 2. p. 20.

Mulieres a publicâ rerum administratione omni excludi solitas ostendit lib. cui titulo Franco Gallia apud Thuan. hist. l. 57. p. 969.

Victu modico esse regem decere dicerem nisi Leg. apud Cuspinianū legerem, Francos non terre regem qui 10 drachmis vile prandere et obsonium vide in vitâ Berengarii. p. 221.

vide vera Regis descriptionem, in Bracton de Actionib. Tit. Constitutio Aug. l. 1 cap. 8 ad finem. qui verum ab hinc annis scripsit. Impositus See other in 3^d^.

Rex Hebræorum legibus non erat solutus vide Schickard. jus regium. Theor. 7.

Scotland was at first an elective kingdom for a long time vid. Hist. Scot.

France an elective kingdom either to choose or to depose Bernard de Girard. Hist. Franc. faut noter, che jusques à Hues Capet, tous les rois de France ont estè eleuz par le François qui se reservèrent cette puissance, d'elire e bannir e chasser leur rois. l. 1. p. 19. in fol. et l. 3. p. 123 l'election estoit conditionelle. et p. 129. 134

vide lib. Franco-Gallie titulo apud Thuan. hist. l. 57. p. 969.

By Parlament of three estates, first then found out Charles Martel was chosen Prince of y^e^ French. Bern. de Girard. l. 2. p. 109. & Pepin. King. l. 3. p. 134 Afterward Charles y^e^ simple, though of y^e^ race of Charles y^e^ great deposed, and Robert crowned in his stead by the French aymants mieux, as saith the History, avoir un noveau roy habille homme, qu'un heréditaire sot et idiot Girard. Hist. Franc. l. 5. p. 298. & French to Charles Read also the excellent speech of an embassador from y^e^ French to Charles duke of Lorrain shewing reason why they had rejected him the right heir to y^e^ crown & chosen Hugh Capet Girard. l. 6. p. 327. See also the like speech before of Pope Steeon, crowning Pepin. l. 3. 134.

Schola Sorbonica in cœtu 60 Theologorum pronunciat contra regem pro defensione religionis arma capi posse. Thuan l. 94. 391

what trust great courtiers may have in present pleasing y^e K. with violence & undue courses against the people on pretence of maintaining regal right the downfall of Hubert may testifie. see Speed. see also of y^e Iudges in Rich. 2. in the chapter Leges in this book.

See also an excellent description of such an Oligarchy of nobles abusing the countenance of ~~sovereignty~~ a Sovereign to the ruin of Tyranny Arcad. Sidney. l. 2. p. 119. &c.

Aulicorū bene merita cibo frigescere ostendit lepidis versibus Boiardus Poeta Italus in Orlando Inamorato l. 2. cant. 21^mo.

——— Ogni servir di Cortigiano
La sera è grata e la mattina è vano.

his addit ejus reformator Bernia Aretinus

Si suole in Spagna un certo detto usare
(Certo quegli Spagnuoli han di bei tratti)
Chun servigio val più che s'habbia fare,
Che cento mila milion de fatti.

Most Tyrants have ordinarily drawn unto their owne Priory some Minions, of whom they make great account and reckoning: whom they use as Sponges to suck up their subjects Blood, upon whom when occasion serveth they discharge & spew to the end y^t the people entring into fury, should prize upon them & draw Phylistr; and of late Henry King of Surdra George Prychon, who was said to have been given by a Pope to the furious people, & by them to have been rent and torne in peices. Bodin: de Repub: Wit. Aug. Edw. 6. lib. l. 2. c. 5. pag 226. ——

Antonius Caracalla The Emperour to please the people put to death all the flatterers who had before induced him to kill his Brother. Neither did Caligula use better sort of his Grandfather. pag: eâdem. ——

An excellent discourse against those Senators, who have assisted great Princes in their Tyranny out of fauell or avarice. Iov: Bonahini Cint: 2da, Advert: LXI, pag: 272 ——

Astutia politica

homines & honores feriendi et evertendi artifex Leicestrius vide de Waltero Essexio Camd. 264 Elizab. et de duce Norfolcio qui ejus insidijs ad nuptias cum Mariâ Scotâ inducto. vide et eundem p. 475. Sic alter Essexius isdem dolis ijsdem usus Camd. vol. 2. 176.
Such art us'd the stepdam of Plangus excellently set out by Sidney. l. 2. 356.

Randolphus Walsingamo p literas monet ut ille Secretarii, ipse Legati technis jam tandem valedicerent et panitendo divinam misericordiam implorarent Camden. vol. 2. p. 27. ipsi tamen in repub. viri integri, et religionis studiosi habiti quo quis ediscat quanto conscientiæ cum tumultu res politica tractetur.

The wicked policies of divers deputies & gobernours in Ireland see Spenser dialogue of Ireland.

fides promissorum lubrica

Promissorum fidem a principibus exigendam, quatenus eam præstandis expedit. Ita Scotiæ regens. protestantium legatis respondit. Thuanus hist. l. 21. p. 647. cujus dicti sero eam premuit. p. 649. Imperii aulici arcana, et lubricam fidem populo datam expresse declarant illæ literæ monitoriæ ad Colinium missæ paulo ante Lamenam Parisiensem quibus si paruisset non ita miserabili occisione cum suis periisset vide Thuan. hist. l. 52. statim ab initio. p. 805. 806.

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Hæc est prudentia seculi istius, quam politicam appellant: utile quod putant, non dubitant honesto præferre; quod utile judicant, necessarium esse statuant, quod necessarium, licere: Rivet. in God. cap. 20.

De legibus earū dispensationibus et indulgentiis.

Dispensationes in legibus humanis admittunt propter legislatoris imperfectionem qui non satis providit omnia. proinde in legibus ~~divinis~~ non habent locum cui nihil occultū itaq dispensationes non possunt esse indulgentiæ ad peccatū sed honestissimis e causis natæ ipsæ proinde honestæ. alioquin maligna proversus quod a deo concederent. vide cor al Trident. quod ab Joanne Verduro solide sunt disputata p. 658. l. 7. edit Lond. adjungit dispensationem non esse aliud quam legis interpretationem.

Contra leges

Il re di Spagna sebramente hanno proibito che a le Indie non possino passar abocati e procuratori. Boccalini ragqual. di parnas. ragqual. 79. lo studio delle leggi ~~non essendo~~ p. editto assai noto non essendo tenuto p. arte liberale, ma mestiere, ed arte veramente meccanica, nel mondo introdotta p. affligere il genere humano 97 ibid. vide et ragqual. 72.

vide et vitam Petrarchæ a Thomasino Paduano scriptam ubi Petrarcha juvenis legum studium aversatur.

ne occorrerebbono tanti interpreti, ne tanti legulei che andassero con istiracchiamenti, or quà or là torcendo la spada della giustizia già divenuta di piombo; schicherando tutto il giorno le carte con trattati e consigli e letture, e malanni che hanno appestata l'Italia in guisa che voglionvi i magazzini di libri, e non vi resta più capo e via di cosa alcuna, truovandosi in qualsi voglia caso mille dottrine, mille pareri, mille decisioni l'una contraria all'altra fatte p. interesse d'amicizie, o di roba, o d'honore, e tirate p. forza di sottigliezze d'ingegno, e d'astutie. Pensieri di Tassone l. 7. quest. 8.

Scrive di più anch' egli, che hoggidì pure in Subo città dell'Apulia i dottori di leggi non possono entrar ~~nel~~ in consiglio, ne havere ufici publici. E in Norcia terra dello stato Ecclesiastico quando s'entra in consiglio si grida fuora i letterati, e i offici non si danno ne a dottori, ne a letterati, e con tutto ciò quella terra nelle passate calamitose penurie che afflissero Italia si governò tanto prudentemente che ne gli habitatori di essa ne alcuna delle ville di quel distretto sentirono gli incomodi di così generale estremità. Filio Gregorio Giraldo in quel suo discorso che fece contra le lettere. Scrive che i Velitresi fecero una volta uno statuto che letterato alcuno nella città loro non potesse havere ufficio. Il che secondo un altro Scrittore decretarono di rimperare una volta i Lucchesi contra i dottori di legge. Tassoni ibid.

Natural Equity in all cases cannot in any Law bee comprised, but y^t of time & by craft & the religious establishment of men expert in matter of State. Bodin. Rep. Aug. Lond. l. 2. c. 5. pag. 226.

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Libertas

non est ut urbs amore libertatis ducta quamvis præclara facinora meditetur, eam tamen amissa recuperet. ut Crescentio Nomentano antiquæ Romanæ reipub. formã reducere conanti male succellit. Cuspin. Otto. 3. ut et postea Nicolao Rentio, qui tribunus pleb. vocari gestit.

Quid jurisconsulti de libertate et servitute statuant vide Justinian. l. 1. institut. tit. 3.

Libertati favet jus civile. vide Justinian. institut. l. 1. tit. 6. §. 2. de servo instituto herede sine libertate. et §. 5. causa manumissionis semel probatã non retractetur. et vide ibid. l. 2. tit. 7. §. 3.

Tyranni armorũ studiũ in populo extinguere conantur. i re passati temendo del impeto de popoli havevano atteso a disarmargli, et alienargli dagli essercitii militari. Guiciard. l. 2. verso la fine.

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Nobilitas

A dei spiritu deribanda non a majoribus aut legibus humanis, ut Excelso animo Romanus martyr nobilis apud Prudentium. ——— abiit ut me nobilem sanguis parentis praestet aut lex auria &c. et deinde dei parentis esse ab ore capimus, cui quisquis serbit, ille vere et nobilis. Prudent: peristeph: Romani martyris supplicium.
Dantes florentinus optime tractat de verâ nobilitate canzon. 4.
See Chaucer wife of Baths tale fol. 36. and Romant of ye Rose fol. 118.

And our English herald Guillim, though his office consist chiefly about titular dignity, and gentry by birth, yet confesses, speaking of those whose first ancestors were raised for thire worth, that if they want of thire linage or titular dignity, and want thire vertues, they are but like base serbingmen who carry on thire sleeves the badge of some noble family, yet are themselves but ignoble persons. p. 410.

Dukes, counts, Marquises &c were not hereditary at first, but only places of goberment & office in ye time of charles ye great. Girard. Hist France. l. 3. p. 163. l. 6. 316. and so continu'd without much difference between gentlemen & nobles till the time of charles ye simple. about ye year 900. when this corruption (for so the historian calls it though himself a french lord) took beginning and receav'd accomplishment afterward in the time of Hugh Capet. Girard. Hist France. l. 6. p. 316. taking example from his usurpation, they made themselves proprietaries of those counties & dukedoms wch they had as offices, not inheritances, idem. l. 6. 329. 330. except those who were natural lords, as of Normandy, Toulouse, Flanders &c. idem. p. 333

morũ severitas ad regnũ aut imperiũ captandũ parũ adjuvat. Sic Lambertus Sebycus integritatis cultor licentioribus sui sæculi moribus formidabilis Italia principatus minimè acceptus est Cuspin. in Berengano. p. 222.

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Successo. Come dipoi si cominciò a fare il principe per successione, e non per elettione, e subito cominciarono gli heredi a degenerare da i loro antichi; et lasciando l'opere virtuose, pensavano che i principi non havessino a fare altro, che superare li altri di sontuosità, et di lascivia, et d'ogni altra qualità deliciosa. Machiavel. discors: l. 1. c. 2.

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Rex

De regibus Britannis inquit Gildas, unge bant reges, non f deum. p. 119. contra quam nunc vulgo existimat, quos cunq; scilicet reges dei unctos esse.

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Si in principatu politico aliqua est servitus, magis proprie servus est qui præest, quam qui subest: August. de Civit. Dei lib. 19. cap. 14.

Lenity of sovraigne Princes towards those of their owne blood offending them and for heirit dangerous or ignominious their honourable infamy: unto the subiects both Commendable & profitable. Example of this. Bodin. Edit. Aug. Lond. L2. ch. p. 229.

Successiõ.
Come dipoi si cominciò a fare il principe per successione, e non per elettione subito cominciarono gli heredi a degenerare dai loro antichi, e lasciando l'opere virtuose pensarono che i prencipi non havessero a fare altro che superare gli altri di sontuosità edi lascivia e d'ogni altra qualità delitiosa Machiavell: discors. l. 1. c. 2.

Si vedrà ancora per la lettione dell'historia romana come sipuo ordinare un regno buono; perche tutti gli imperadori che succederono all'imperio per heredità, eccetto Tito furono cattivi, quelli che per adottione, furono tutti buoni, come furono quei cinque da Nerva a Marco. Machiavell. discors. l. 2. c. 10.

what Calvin says of Magistrates ordained for the defence of the people, & to restraine the inso lencie of kings, as were the Ephori in Lacedæmonia, the Tribunes in Rome, & the Demarchy in Athens, yt ought to resist and impeach their licentiousnesse & cruelty; & not at all applicable to a right Monarchy where the life and honour of the Prince ought to be sacred. for the speech of Aristocratie & popular Estates. Bodin. de Repub. Edit. Aug. Lond. 1606. L2. c. 5. pag. 224.

Martin Luther declared to the Protestant Princes in Germany yt it was not lawfull for them to take vp armes agt Charles yt Emp. Ibid. pag. 225.

The keeping of great Princes prisons very dangerous. p. 229. — Example of yt. —

In Rege qui recte regit, necessaria sunt duo hæc, arma bene dirigat et Leges, quibus omnes homines, pacis, recte possit gubernari: omnes vt ipsum alteri indigit auxilio, quo tanquam militiæ -tor L. 1. de consultu. et Legg. Aug. cap. 1. —

De Religione quatenus ad Reipub: spectat

Laudatissimos omnium inter mortales, eos esse qui vera Religione hominum mentes imbuerunt, immo iis etiam Laudatiores qui humanis legibus Regna et Respub: quamvis egregie fundarunt. Machiavel. discors l. 1. c. 10

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Ecclesiastici et Politici regiminis confusionem, (cum scilicet magistratus ministrum Ecclesiæ, ministrum Ecclesiæ magistratum agit) et religioni et reipublicæ pariter esse perniciosam ostendit Dantes Poeta florentinus in purgatorio. Cant. 16.

Soleva Roma, ch'el ben mondo foo,
Due soli havea; che l'una et l'altra strada
Facean vedere et del mondo, et di Deo
L'un l'altro ha spento; et è giunta la spada
Col pastorale; et l'un et l'altro insieme
Per viva forza mal convien che vada:
Perchè giunti l'un l'altro non temo
et paulo post.
Di peggio mai che la Chiesa di Roma
Per confondere in sè due peggiumenti
Cade nel fango; et sè brutta, et la
Soma.

Opiniones hominum de Religione, oportere in Repub liberas esse vel sub bonis principibus liberas esse; quos dum laudat Machiavellus inter cætera bona ingnit, videbis sub iis tempora aurea dove ciascuno può tenere et difendere quella opinione che vuole discors. l. 1. c. 10

Vide Judicium Theologicum de Religione non cogenda

Mahometana Religion nothing but policy. Bocalini, Cent: 2d, Advert; 1 prag: 286

Varius Reipub: Status

Status popularis Machiavellus longè præfert Monarchiæ statum popularem adductis rationibus haud inscitis toto capite 58. l. 1 discor. et l. 3. c. 34. ubi dixerit minus errare rempub: quam principem in eligendis magistratibus aut ministris &c.

Reducere rempub: ad ipsam gubernandi originem vel bonas leges ferendo vel magistratus in ordinem redigendo vel summam rerum ad arbitrium populi revocando sæpe prodest. vide Machiavel. discurs. l. 3. c. 1. ubi ait salubberrimum esse reipub: quemadmodum corpori missio &c.

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Gynæcocratiam Reprehendit longa oratione ac rejicit Jacobus Kennedus Archiepiscopus sanctæ Andreæ Buchanan Hist. Scot. Lib. 12 p. 403. Sit Edinburg.

68 Monarchy, y^e kinde of Commonwealth wherein y^e Soveraigne power is lodged in one only person
Tyranny, y^e Soveraigne who commandeth absolutely, & himself can be commanded of none. Bodin: l: 2: c: 2: Cart:
Anglicè London: 1606. —
How far a Prince by marriage may be equall or subject by the Example of y^e Ld: Darnley
ponnely & Jak: Maxwell &c. Highland made Soveraigne by Anderson. fo: 9. —
Nulla fides Regni sociis, omnis potestas
Impatiens consortis erit. — Lucan Pharsal: Lib: —
A Tyrannicke in a Soveraigne may be firme, but a Dynasty not for. Bodin:
Thy the reason of the division of the Roman Empire into East & West
Empire. — See other example of this. pag: 196. —
Example of Foreigne Tyrants marrying home Virgins p: 199. —
An example of the good Government of a State by a Tyrannicke, in Rome before
Cæsar, & Crassus. p: 199. — The like happened of late (Death of Essex) in
Triumvirate of Augustus M: Antonius, & Lepidus. —
Thy not a Monarchy where the Soveraignty is in many persons: neither
Canary Government except in the case of y^e Tyrant Gabriel Peleg: Jerm —
Also Soveraigne is either Lord of all, or a King or a Tyrant. Bodin: Iubra cap:
In a Royal Monarchy y^e Subjects obey y^e Laws of a Monarch, y^e Monarch y^e Laws
of nature, Magistrates obeying their natural Liberty & Property of their goods
The Lawful Monarchy is where the Prince is bridled by the Laws
of his Subjects by Law of Arms & Lawfull Warre, gotten by the sword & preserved
by a Family doth by slavery. The Tyrannicall Monarchy is
where the Prince Commands & Lord of nature & of nature
Imperiously abuses the person of his Subjects, & their goods by
his power. The same difference found in Aristocratie & Popular Estate.
p: 200. —
The Monarch first and next. — In Assyria under the power of
Ninus called a great Hunter, as Hebraique for a great Thief. — Vide
before his new & vast Soveraigne. —
The three comon sorts of Lordly Ps of Scythia brought by Ld Soveraigne
of Monarchs into Europe. p: 202. — vide: Original of Principalities &
Ld Lyonarchy makes not Tyranny. p: 203. — Secunda Ig Gentis & bona
naturæ. — Ab exemplo ex c. Excellentia Patriarchæ. — Vide Patriarches
pag: 204. Nota bene — p. et hanc vide —
Vide the definition of a Royal Monarch Cap: 7°. p: 204. —
Plinius Junior adds Trojani y^e Emperor Lthy, Principi fide obsequio sit
Domino Lacy. p: 204: de his plura 2d pag: —
The true quarrell of a Royal Monarch pag: 205 —
Aristotle's definition of a Kingdom. pag: 205. —
Aristotle's opinion of the Barbarous people whose Kings
come by succession with y^e at y^e same time Alexander was a King &
also so y^e Greek of the Trachinians Troglodytes &c: pag 206. —
French Thracians Persians & Egyptians all Monarchs Learning denied.
Story of Kings reckoned up by Aristotle — pag: 206. —
Not: + The power of the Lacedæmonian Kings &c: pag: 206. —
The difference of Monarchy not to be gathered by light reasons of coming to the state
but by their Means of governing the State. pag: 206 —
Of y^e Roman Dictators p: 206. —
Antigonus first Knight of y^e Sword by Alexander y^e Great who did this after his p:
Dangerous & Courageous Service [illegible] by his Master y^e Lacy yet his
Encrowned Kings will upon Example of it [illegible]
Dangerous also of people least their right of Election should be prest into
Name of Succession pag: 210.

~~Monarchia~~ Tyrannie.

Tyrant: Hy word deryued from the Greeke, vsed of the Romanes for a most honourable & in auncient time signifyed no other thinge then a prince who without the consent of ye people had by force or fraude possessed himself of the state; and of a Lawfull made himself their master: whom they called a Tyrant although he were a most wise & mylde prince. &c

Bodin: l: 2° de Repub: Edit: Hy: Loud: An° 1606. pag: 240. cap: 4°. ——

The last King described pag: 211. ——

The great & differnce betwixt a king and a Tyrant, given pag: 212. ——

Tyrants claime by extremitie & wicked policy & their fall pag: 213. ——

Tyrants allways in fauour & extolled, tormented with fear of future infamie, therefore Nero wished yt we hee dyed, may whilst hee Liued all the world might bee consumed with fire. For the cause Dionisius Polycrates, Agathocles the Athenian brake a wand for the defence of their Liberty yt hee might bee Loued by their enimies after hy death. Seuerall examples of Tyrants p: 214. —

Tyrants & theire hapless deathes. & examples of hy. pag: eadē. ——

The happy estate of a royall prince. 215. —

Scipio Africanus worthily praysed eād: pag: ——

Alexander K9 of the Macedonians Worthily Loued of hy subiects: pag: eād: —

Plinie in hy panegyrical oration of Traian the Emperour concludeth hy speech thus, That nothing greater or better could bee wished for to the Comon wealth then that the immortal gods would imitate the life of Traian. Hy exceeding prayse though it sauour of flattrie yet proceedeth from the Zeale of a most famous man & moued him not to collent prince. — At his going out & coming in all people were called for by name & their helpe vsed by prayer & inuocation with the gods That they should keep & preserue him if they saw it good for the good of the Comon-wealth. pag: eād. —

Agesilaus King of Sparta fined by the Ephori for having alone robbed the heards, & gained the Loue of all the Citizens to him: pag: eād. —

Anybus surnamed Phalaris Busiris Nero, & Caligula liued Tyrants. 1: eād. —

Seuerus Iulius not to be accounted Tyrannis in a soueraigne prince but to be much commended in him. 216. — hy position illustrated by ye example of Cosmo di Medicis & his first booke upon Nicol Machiauel of Florence. 1: eād. —

Seuerus in a prince more wholesome for ye Common wealth & Lenity. Domitian an example of hy. Nerua an example of Clemency. Cicero calleth the Licentious Liberty of ye Lubrick people next Tyrannie: pag: eād. —

Diony: cause inducing princes to Tyrannie. pag: 217. —

That a crafty & subtle man & a good king proued pag: eād. — The examples of ye Charles & Simples, or Charles doe nothing at Trauers & ye Colonys of Francis di 1st his Gouernements. 1: eād. — The Leniti & immoderate Bounty of Henry 2d most hurtfull to France &c: eād. —

Pertinax Galba & Heliogabalus by Youthfull nobles all most ruined ye Roman Empire p: 218. —

The Emperor Iouian & Alexander Seuerus of Syria by grauis worthy Senate p: eād. —

Charles King of Nauarre ye most crafty K9 of hy time. pag: eād. —

Murthers acts of vile and Tyrannical princes, not to bee rewarded but seuerely punished pag: 220.

Seuerus the Emperor put to death all the murtherers of Pertinax (Capitole Herodianus) Pitholaus Didius also with the murtherers of Galba. Vid: alia exempla: p: eād.

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Monarchies
Vid: Baccalini, Cent: 2da, Advertiss.t y 6.to
Excellent Rules for monarchy. — Say 187. — pag: 176.

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202 [redacted] Athens
Hor. whether there be a God or not is not to be decided w^th arguments but whether punishments to be chosen. Bodin: Edit: Aug. 22. (2 de Repub: f. 224.

100 203

De Aristocratia

Ld: Trajano Boccalini Advertimenti sopra Parnassa Cent. 2da

Ado: 6ta, p. 1760

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Index et Judicium.

Criminatio, et misericordia

Tom: 2^do — Edit: parisijs 1629.

et ira et hujusmodi animi perturbationes ꝺ dr. 2^o sunt sed ad Judicem. Qui in omnibꝰ judicijs versatur, quem admodum in nonnullis etiam unus versatur civitatibꝰ, maxime vero in ijs q^as hae sanxerunt, nihil habuerunt qꝺ dicerent. Omnes enim partim ab Archontibus sic leges cavere: partim hoc instituere voluisse, et prohibuisse extra eum dicere, ut etiam in Areopago, recte sic statuentes. Misericordem oportet Judicem perspectum, ad iram excitando, vel misericordiam: quia id simile est ac si quis quem aptum et regulam eam reddat perversam. Aristot: l. 1^o Art: Rhet: cap: 1^o —

Vide q^d Judicii in Judicio sant voluptuosa. Eod: cap: pag: 513.

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Bocalini Cent: 2da Do: 6ta pag: 176. &c

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Foderum, parata, et mansionaticu tributa erant a Carolo magno Italis imposita quibus ille jus suu in eos quoddam significari voluit vide Sigon: reg: Ital: l. 7. 175. p. hinc fortasse regibus Anglia quasunq; p loca iter facientibus tributu ejusmodi solvitur.

Fifteens and subsidies what they are see Camden. Elizab. p. 80.

the cruel tribute exacted by Hardiknut to be given to his shipmen stow speaks of and his end was answerable. Sto. 94. read also the storie how K. Ed. Confessor saw the devill dauncing on the heap of monie exacted from his subjects, whereon he sent all back to ye owners. Sto. p. 95. against unjust exactions with intent to enrich the K's coffers Canutus the dane inveighs. Speed. in his life. and Harold harefoot by exacting shipmonie lost his subjects love. Speed. in his life.

the exaction of Hardiknute was thought to be devised by Godwin on purpose to bring him in hatred with the people.

Peeter pence ordaind to be given to the Pope by Ina the west saxon the ignominious price of our damnation. vide leges. an disanulld by the noble Edward 3. Statu. an. 39. but after by others remitted. Holinsh. pag 397 till Hen. 8.

Holinshed. l. 6 of.

K. John lost his subjects love by taxing prowling Frier. Holinsh. p. 161. and the black prince lost the love and obedience of his subjects in Guien by raising fuage Holinsh. p. 400. & K. Rich. 2. a farmer of his kingdom. Holin. 496.

promoters and exacters worthyly punisht in beginning Hen. 8. an. 1. Sto. a good course also taken by Hen. 3d to the same effect whereby punishing those that had bin fraudulent under him in his offices by fines and accounts taken of them, he spar'd his honest subjects of a subsidie. Holinsh. p. 215.

see also the moderation of Elizab. Camd. p. 107. et vol. 2. p. 21.

Commissions out of Parliament devis'd by Wolsey demanding the sixt of every mans goods without the knowledge of the K. which caus'd divers Commotions the which the K. knowing the cause thereof instantly pardon'd, utterly disavowing the unlawfull oppression of his commons.

Holinsh. p. 891.

Tributum a meretricibus corradi solitum, quod Chrysargyru vocabat, praclaro consilio, et commento sustulit Anastasius imp. ut fuse narrat Evagrius l. 3. hist: Eccl. c. 39.

That no king or prince hath due power to raise a penny on his subjects without their consent Comines (that the cause may be suddain, and secret. Memoires S. L. p. 403 &) a great statesman and courtier affirms, and answers the common objections

Subsidies granted with condition not to be spent at the pleasure of the prince but by order and appointment of certain Lds appointed by the parliament, by them to be receav'd and kept. Rich. 2. Holinsh. 452. which also K. Jaines of his own accord offerd to the parliament in thire aids to be gatherd for recovery of the palatinat. Chesne. Hist. D'Angle. p. 1178. 1179.

and in other pages

quodvis mare non liberu solitos enim ev exercitiode imperatores Constantinopolis a navibus p fauces Ponti pretereuntibus tributu exigere Gregoras Nicephorus l. 5. c. 3.

What the revennews of the customhouse were to Q. Eliz see Camd. Eliz. vol. 2. p. 21. vide pro Anglice. 186.

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Moderation in exactions, or subsidies gains more then rigor. seen in the Lon- doners forwardnes Sto. Eliz. in 88. and by the subsidies granted Camden. p. 55. vol. 2. et 56.

populus bene nummatus quovis interest ergo regis ut re populum exactionibus ad paupertatem redigat quandoquidem inopia si quid res alia Anglos in rebellionem precipitat ut ait inter alios Camden. Eliz. vol 2. p. 224.

Rapina seu extorsio pub. vide Popa 42 in indice altero

William Rufus an extreme powler of his subjects in somuch that he durst compell certen conberted Jews to forsake the faith of christ beeing brib'd to that purpose by other Jews with a summe of mony. but see the wise and godly answere of a conberted Jew to him wherwith he was confounded. Holinsh. p. 27.
King Ri. 1. to maintain his warrs unholilie in the holy Land p. 119. 120. and p. 143. 144. other devises p. 145. after his comming home besides that of the seale lost with pretence of necessity to seale again. this devise of a new seale to bring in new fees Hen. 3d also practis'd a trick more Holinsh. p. 208 209. befitting a cheater then a K. for which he is boldly reprov'd of his nobles p. 240. feins also a feare of warr in Gascoine from the Castilians 249. and through his whole reigne an improbident Spender, and a shamlesse exacter. 253. another shift. 251. 253.

Richard. 2. a continual poller. see 185. of this table. also Holinsh. 496.
Henry the 7th not free of this fault in his latter days. Holinsh. 791. by Empson and Dudly. p. 794. His police by shew of warrs to raise monie
Speed 713 in fin Henry the 8th lesse touch't with this fault then his predecessors diseaming like a noble prince the exactions devis'd by Wolsey without his privity. Holinsh. p. 892.
Empson & Dudly see Speed. p. 762. thire deaths. Speed. 766.
Hen. 3. a catalogue of ye supply's, exactions, and wastings of Hen. 3. Speed p. 537 ending in a most beggerly humor of inviting himself to feast at others cost, where to his diet he must be presented and his queen, and son with gifts if they would please him. Speed. p. 540.
by a noble ladie Countess of Arundel grevously reproov'd Speed. p. 542.

Hen. 7. making of intendments for just and necessary warrs and thereupon demaunding and obtaining great Summs of his subjects, with a small Speed. p. 752. parts therof florisht over a seeming preparation, and the remainder therof (peace insewing which he always forefrew how to bring about was clearly his own his own without account. an unkinglik pattern wch shoulde be provided against in such cases by parlament.

Commotions for these reasons want not a stout Captain as a plebeian withily answerd the duke of norfolk (sent against the commons in Suffolk and asking that who was thire captain) that Poverty was thire captain with his cozin Necessity. Holin. p. 891. Hen. 8.

Pestilentia

pestilent. divinitus immissa temporibus Justiniani in quâ inmanes quædam dæmonũ formæ in obvios quosq; grassantium apparebant qui iam p somnum nonnullis dicerent se quoq; esse eorũ in numero qui essent morituri hac peste. Procop: persic. l. 2.

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Giostro et Torneamento ludi equestres a latinis inventi quorū leges et morem describit Nicephr. Gregoras. l. 10. c. περὶ γενέσεως τῦ βασιλέως Ἰωάννυ τῦ νεω. eos ludos Sabaudi nobiles primum Graecos docuerunt ut testatur Cantacuzenus l. 1. c. 42.

Damnant ab Innocentio Pontifice Sigon: l. 11. de regn. Ital: 273. et ab Eugenio. p. 283.

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Spectacula

Tertullianus in eo libro quē de spectaculis inscripsit damnat eorū usum et Christianis occludit, nec vero tantū argumentis agit (quæ solos ethnicos lūdos convellunt) ut cauti et prudentis Christiani animum religione obstringere debuerit, quo minus poema aliquod dramaticum a poeta non impure concinnatū spectare tuerit. illud tamen optimē fecit ut mentem Christiani ad meliora h. e. divina et celestia spectacula (quæ tot, et tanta homo Christianus animo præcipere potest de adventu xsti de futuro judicio densis coloribus confortis) inuitaverit. eandem prorsus lapidem volvit Cyprianus seu quis alius libro eādem de re composito tom. 3. et Lactantius l. 6. c. 20. argumentis nihilo firmioribus rem scenicam universam in vitio ponit. nec semel quidem cogitasse videtur, corruptelas quidem theatricas merito tolli debere, omnem autem idcirco rerum dramaticarum usum penitus aboleri nihil necesse esse, immo potius nimis insultum esse. et quid enim in totā philosophiā aut gravius aut sanctius aut sublimius tragœdia recte constitutā quid utilius ad humanæ vitæ casus et conversiones uno intuitu spectandos? idem etiam capite sequenti totam artem musicam videtur e medio subtulisse. belle

in epilogo libri ut

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res nautica — Edgars noble custome to defend the coast with his yearly nauie
K. Ed. the 3. commaundment for the exercise of armis in ebery shire.
Stow Ed. 3. an. reg. 17.
Q. Elizabeths excellent care to furnish her fleet with implements out her own country. Camd. 70.

Si magistratus duci exercitus eruptionem, aut pugnã certo cũ periculo omniũ imp̃abit videtr ex officio imp̃atorio esse sententiam suam explicare, sin magistratus belli expers obstinatius mstabit, non tamen imp̃ator honorificam et suum exercitũ unius voluntati populi ob mscitiam, et plinacem adhærere exemplum vide in Malatesta qui dictatori Florentino primi diei signa quærenti parere noluit Iobius l. 29. p. 170. &c.

Iustice and obstaining from spoile in the armie of Hen. 5. Holinsh. p. 552. and the benefit therof. ibid. et 560.

Selymi milites — etiã post victoriã adeo severa disciplina legibus in officio manserõt, ut in fertilissimo autumno hostis sine custodibus tuto relinquerentur. Iobius l. 17. 359.

Militũ libidin — obtemperare duces non debere, qui ad veram militiã decus aspirent, et a justã generosi animi probitate famam quærant latrocinantiũ qz militũ immanitatem abominentr. et reliqua apud Iobiũ l. 12. quæ Prospe Columna ad Bergomum in castris egregie conionatr.

the vantgard due to the Kentish men by ancient ~~rig~~ custome. Speed. in Harold. p. 416.

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Avaritia quanta in bello noceat. vide Avaritia.

Quoniam populum universum in armis exerceri ad seditiones et tumultus periculosum et
exciunt provinciæ ad fines sitas. in tra. — idcirco delectos quosdam fide et moribus e singulas provincias pagos
the English standard. — in pitegis quibusdam militaribus ornatos ad alterius gentis tractanda instructos esse oportere monet. Sesell. de regnõ Galliæ l. 2.
that of Harold was wrought with gold and precious stones in form of an armed man. Speed. p. 435. Hist. Edward 3. at Cressy erected his standard of the dragons gules Speed. p. 590

of Castles whether profitable in England see Holinshed descript. of England 2 book. c. 14. And of fortresses in generall. — Che le fortezze ghiaramente sono molto più dannose che utili discorre Machiavel. Discors. l. 2. c. 24

Quæ regiones aut provinciæ ad fines regni sitæ sunt, ~~sit~~ non solum omnibus armorum usus et assidua exercitatio ~~f~~mittenda est, sed etiam præmiis et immunitatibus ad bellicas artes mutandi sunt. Sesell. de regnõ Galliæ.

The office of Knighthood Harding sets out in Arturs round table to use thire bodies to defend where law would not redresse Cronicle in Arture.

Provision for souldiers after y^e Warrs to be consider'd. Spenser dialogue of Ireland from p. 84. &c.

Melius ne sit inferre bellum an expectare hostem disputat Machiavellus Discors: l. 2. c. 12.

Pedestre Robur Equestri plus in bello valere quam equitum Disserit Machiavellus Discors: l. 2. c. 18.

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116 not to be furnisht out by rapine and pilling the people. as that voiage of K. the first to the holie land most unholily set out with manie dishonorably and impiously got. see Holinsh. l. 4. p. 119. 120.

of holy warre as they call it. to fight with Turks, & Saracens. See Gower. l. 4. fol. 61. 72.

Militia mercenaria quâ quis mercede conductus cuilibet opem ferat damnatur, a Zuinglio. Sleidan. lib. 3. p. 36. & l. 4. 60. et à repub Bernensi. Sleidan. l. 6. p. 89.

victoria non in viribus aut peritiâ militari sita est, sed ut, ~~ne~~ qui bellum suscipit, deum propitium habeat. praeclare itaq; Trajanus dux ad Valentem imperatorem qui eum dictis increpaverat eo quod contra Gothos missus cum exercitu male pugnasset. ὃτ ἐγὼ, inquit, σὺ δὲ Βασιλεῦ τὴν νίκην. tu autem victoriam prodidisti ~~contra~~ qui deo ~~ipso~~ bellum infers. nam Arrianus erat Valens. Theodorit. hist. l. 4. c. 29. vide et. c. 30.

moderate and Christian demeanour after victory see in Hen. 5. after the winning of Harflew.

Divitias esse belli nervos negat Machiavellus et vulgi eo de re opinionem refellit. Discors. l. 2. c. 10.

Non esse cujusvis Reipub fines imperij bello proferre aliasq; gentes in suam ditionem redigere. immo periculosum esse nisi et illa respub: probe instituta sit et illa novi imperij acquisitio recte administretur, prudenter ostendit Machiavellus discorsi l. 2 c. 19.

the danger of calling in forraine aids besides the storie of the Saxons & Danes comming in, is evident by the purpose of Lewis revealed by the Count of Melun to the Barons of England. Holinsh. p. 193. also by his and his Frenchmens carriage toward the English. Holinsh. p. 197. 198.

Germani principes Cæsari fidem, officia q̃ renunciant religionis ergo quã ille evertere conatus est. vide Sleidan. l. 17. p. 296. &
vide de rege 186
Et Galli protestantes de sententia suorũ ministrorũ &c. vide Concil Trident. p. 408. Thuanus. hist. l. 24. p. 732. et Jurisconsultorum, et Theologorum et Scoti ecclesiæ reformatores, Thuan. hist. l. 21. p. 647.
erat et Magdeburgica obsidionis tempore scriptus liber et in Gallia denuo editus an. 1574 multis rationibus et exemplis amplificatus in quo licere ostendit subditis vim etiam a magistratibus extra leges illatam vi repellere. Thuan. hist. l. 57 p. 988.

Bellũ non religionis causa, quam præ se ferre se tyrannis simulant, sed in quos ea sub eo obtentu sibi rebelles. Sic Carolus 5tus multas protestantium civitates his insidiis deceptas ab armis continuit. Hist. Concil. Trident l. 2. p. 179.
vide Ecclesia.

His qui religionis causã se armis defendunt multi se aliis de causis non optimis callide se adjungunt Concil Trident. p. 408.

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Our League and union with the Scots a thing most profitable, & naturall ever by the Pope sought to be hinderd. See Ascams Toxophilus l. 1. p. 38. by the Cardinal of Scotland. Speed. p. 794.

de Fœdere cum protestantibus quibusvis non omnia speranda. ut de illis rebus quæ
x newhaben. ad Franciscopolim transacta sunt compertum est. Camden. Elizab. p2
et pactis cum Anglis astute actum qui Henrico 4to suppetias tulerunt, periculis
maximis objecti, nec illuc raptati, vide ubi Essexius ad Rothomagum castra
ponit, et Norrisius in Britannia. Cam. vol. 2. 49. 50. sed et prioribus exple
libiombus videre est, ex quo rex ille Anglorum auxilia potuit. apud Camden et vol. 2
p. 61. 64. 65. 77. 79. 89. 90.

Hollandi opam Anglis pulchram navant pontificiorum Hispanorum classe profligata
quæ Anglorum ad res turbandas erat ab Albano instructa. Camden. Eliz.
p. 232. Arausionensis consilia Joannis Austriaci de invadendâ Angliâ
detegit Elizabetha, quæ vix dum aliquid de istâc re præsenserat. Cam. Eliz. 267.
Vide et Camden. p. 274 Elizab.

Ed. 6. aids the protestants abroad Hayward Ed. 6. p. 185.

Che si possa fare più d'una confederatione o lega fatta con
ma repub: che di quella fatta con un principe. Dimostra Machi
avell: Discors. li. 1. c. 59.

De Sedition

vide Idolatria. et Ecclesia. et bello civili

Contra eos qui rem evangelicã & seditionem et tumultũ promovere aggrediunt, pulchre Lutherus ãpud Sleidan. f. 69. l. 5.

Contra omnem seditionem sanctissime et prudentissimè tum ad plebem tũ ad magistratum scribit Lutherus ubi causas pariter seditionis resecantes dant. illi patienter expectando, et arbitris dilectis rem pacate transigendo. magistratus opprimere expilare, divexare crudeliter populũ tandem si desinat. Sleidan l. 5. p. 71. &.

Cæsar protestantiũ proceres se defendentes multis criminibus onerat rebellionis suæ et magistratus contemptu. &. Sleidan. l. 17. 292. 293. &. ut hodie fit.

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~~Libri~~ Populi tumultus libertatis recuperandæ occasio sæpe fuit, idcó nec reprehendendi, quia justas ob causas et querelas plærung. fiunt. dice Machiavello. Io dico, che coloro che dannono i tumulti tra i nobili et la plebe, mi par che biasimino quelle cose che furono prima cagione di tenere libera Roma. perche buone leggi nascevano da quei tumulti, &c. Discors. l. 1. c. 4.

118 Quo modo Hicardus Brixiâ undiq; oppugnatâ defendit paucis militibus contra duos exercitus vide Jovium l. 18. 348. 349

Quo modo Verona M. Antonius Columna adversus Gallos et Venetos defendit vide Jovium lib. 18. 390 391

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Vtrum liceat à tyranno defiecre. Rinaldo Conte di Cazerta, habendo ~~ita~~ (Manfredi re di Napoli Commesso adultrio con la moglia del Conte, mando à Roma al papa e al re Carlo d'angioia che ri furono presenti, un suo amico che proponesse avanti al Collegio s'era lecito ad un vassallo in tal caso rifiutare del suo re e mancargli di fede; il che fu preso con grandissima contradittione, che come il vassallo è tenuto spendere la vita el sangue per lo re suo, così el rincontro il buon re è tenuto d'osservare fianza col vassallo, e offendendolo in così atroce ingiuria è lecito al vassallo mancargli di fede; perchè in tal caso il re perde il titulo di re, e giustamente il nome di tiranno. Angelo di Costanzo, histor. di napoli. l. 1. p. 16.

q. Lilbur. i. Lib. Lawfull & Lay for y^e Lest hand of one a Tyraunt: and after hy^r death to disanul all hy^r acts decrees & Lawes. Lib. Bodin. de Repub. Edit. Aug. Laud. A° 1606. Cap. 5°. Lib. 2^l. pag. 218. — defined pag. eâd. —

A Tyrant If a Subject will invade or take upon y^m state of a K^g by any meanes whatsoever he is guilty of the Valerian Law bad y^e Law of God & man shunned it Lawfull to kill him. p. 219. subjects duty & the quest of Sub. taking Publicola to be malefactor. full for any one to kill a Tyraunt & after y^e fact to be hyred & y^e Law of Solon well forbid y^e killing of a Tyraunt without sentence of y^e Judicature. Aug. eâd. —

whether a Lawfull prince tyrannizing may of his subjects be lawfully slaine or not. p. 222. A prime Tyraunizing may by another Tyranny prince be Lawfully slaine. p. 220. Examples of thy severely proved &c. —

That it is not Lawfull for subjects either by way of fact or Jyghts to attempt any thing against the honour Life or dignity of their Soveraign prince, be never so evil or wicked. proved p. eâd. —

Treason of y^e nigh of it punished with death. — Examples out of Sacred & prophane story. pag. 223. — Example of a French Gentleman; of Nabuchodonosor & Paulus Emilius 224.

The Effect of most craved by an act the Jews (their name signify the hue execution of y^e Law of God) their opinion of sacrificing & observance. p. 224. Diogenes the Cynick his discourse to Dionysius the Younger living in exile at Corinth; with y^e Miserable Condition of Tyraunt when the King dyeth. p. 226.

The policie of some Tyrants how they by y^e people rage. exemplified in Nero &c. p. 226. —

If the conspiracy begin y^e King at the person of y^e Tyraunt y^e his whole family is usually rooted out. p. eâd. —

Cicero questions whether a good man ought to come into y^e Counsel of a Tyraunt consulting even of good and profitable matters. p. 227. — The question solved. p. That not only the good deeds and decrees of Tyrants but even their evil acts and decrees also are of authority after their death to be retained in y^e Common weale. pag. 227. —

It is the opinion of Lawyers y^t y^e successors of Tyrants are bound to all that their predecessors have Justly provided or done but not by y^e rest. p. eâd. —

Constantine the Emperor & Gregory the like thing as touching the Tyraunt Hadrianus decreed, but confirmed the rest. The like was done by Theodosius y^e young & treading the Emperor after him. death of the Tyraunt hurtful to the Subject Tyranny Contra jus. resciss. & valde prodesse q. [illegible] Lipsius de institutione pag. eâdem. —

De re nautica et naufragijs. De Litterigg etiam et Mori[illegible]

119

Ad Gangen hominū quos tunc iam barbara mortem
Permittit patrijs hospitio prohibemur Arenis. Ouid. de Ponto. l. 10.

Gripus the fisherman, & Trachalio ye slave as they were brought ashore by Plautus quarrelling about a cagge found in y Sea.

Gr. Mare quidem commune certo'st omnibg. Tr: Affirmo.
Quin mihi hunc communem esse oportet? Ego hunc aduehunc?
In mari inuenimus? Communem esse. —— In Rudente Act: 4°.
Latona allocutus Lycios sic ait: — apud Ouid. Metam. l. 6°
Quid prohibes aquas? Vsus communis aquarum est.
Nec solem proprium natura, nec aera fecit
Nec tenuis undas. In publica munera Veni.

—— —— Litigg regarding shoares

Inuenio et cuncti vndarum, auraeq; salubres. Ouid. l. 7°.
Thalassides, sic apud Athenæum Dipnosoph. 8 ait.

The civill Custom in England, of forfeiting all shipwracks as forfeit to the Lord of the Mannor, or the inhabitants of that shoar, where the ship was wracked, was also among the Greeks of Constantinople, but condemn'd & forbidden by a severe edict of Andronicus Comnenus the Emperour, though otherwise a most cruell tyrant. See Nicetas Choniates in his life, page 209 of his history. Edit. Paris. fol.

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